

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-05-2008 BY 60324/UC/BAW/STP/bls

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland *WRC*

FROM : O. E. Coleman *EC*

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

DATE: 10-30-73

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Asst. Dir.:
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Director Sec'y _____

Reference is made to my memoranda dated 10-18-73 and 10-23-73 attached to which were letters to General Haig at The White House and the Department transmitting the results of our investigation thus far concerning Mr. Ford to them. You were advised that our investigation was continuing.

We have now interviewed over 80 additional individuals concerning Mr. Ford and concerning allegations which have arisen during the investigation. The interviews with persons acquainted with Ford were, as before, generally favorable.

Representative John Conyers, Jr., a member of the Michigan delegation as well as a member of the House Committee on the Judiciary, advised he is withholding all comment concerning Mr. Ford pending the confirmation proceedings before the House Committee.

[Redacted], has advised that he has been *[Redacted]*

[Large Redacted Block]

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With regard to a rumor circulated to the effect that Ford allegedly, while in China as a member of an official United States delegation in 1972, made arrangements for the

Encs.

1 - Mr. Callahan
1 - Mr. Bowers
1 - Mr. Franck

1 - Mr. Cleveland
1 - Mr. Coleman
1 - Mr. Auerswald

161-7296-216
NOT RECORDED

3 DEC 12 1973

DHY:OJA:dc *dc*

CONTINUED - OVER

-7-

58 DEC 10 1973

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

exclusive rights to certain Red Chinese products for sale in the United States, additional inquiries have been made of individuals reportedly in possession of pertinent information. No one interviewed was able to furnish any information to connect Ford with such activity.

You were advised that we were locating Robert Winter-Berger for interview. He is the former Washington lobbyist who wrote a book entitled "The Washington Pay-Off" wherein he made various allegations concerning Ford. After making two appointments for interview, Winter-Berger cancelled them and refused to be interviewed, stating he had been in Washington in contact with Congressional figures concerning Ford's nomination. He said he had furnished an affidavit to one of the committees and contemplated being called as a witness. His refusal to be interviewed by us was based on his desires to go over his material only once.

Winter-Berger, in his book, made allegations that one Francis Kellogg made contributions through Ford to the Republican Party supposedly for an ambassadorship to Kenya. He said Kellogg never received the appointment but did receive a job in the State Department carrying "a special ambassadorial title." Mr. Ford was specifically asked about this and categorically denied the allegation. Kellogg, Special Assistant to the Secretary of State for Refugee and Migration Affairs, has been initially interviewed by us and has denied the allegation. He will be again interviewed when he obtains some material from his private papers that he desires to go over.

We have substantially completed inquiries concerning Ford's finances and nothing improper has been thus far developed. We are, however, still checking the details of his so called "5th District account" in Grand Rapids to determine the deposits and disbursements pertaining to the account.

Allegations arose that Mr. Ford accepted free air transportation from several commercial companies in Michigan for travel to and from Washington, D. C., and other points. We have interviewed Mr. Ford and numerous business executives cognizant of these plane trips and the arrangements therefor. Ford freely admitted accepting this transportation and the

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

business officials have also admitted furnishing same but they have stated they see nothing wrong with this as there is always plenty of room on the plane and further, no favors have been asked of Ford by them and none have been received in return for the service.

We are still running out several late leads of a miscellaneous nature which will be completed as soon as possible.

ACTION:

Attached are letters to General Haig at The White House and to the Acting Attorney General transmitting the results of our additional investigation to them. Two extra copies are being furnished to the Acting Attorney General. Our investigation is continuing.

[Handwritten signatures and initials: a large signature, "WIC", and "AH" are visible in the right margin, and a large "K" is visible in the left margin.]

UNITED STATES GOVERNMENT

Memorandum

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Director Sec'y _____

TO : Mr. Cleveland

FROM : O. E. Coleman

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

DATE: 10/30/73

Reference is made to my memorandum dated October 29, 1973, advising that on October 26, 1973, Howard W. Cannon, Chairman of the Senate Committee on Rules and Administration, had reviewed approximately one-half of our reports of the investigation conducted to date concerning Ford.

On October 29, 1973, Senator Cannon completed his review of these reports in his office with Special Agents Robert L. Bruggeman and Orvis J. Auerswald present to assist him in locating various items in the reports. His review on that date lasted from approximately 10:10 a.m. to noon and 3:15 p.m. to 5:45 p.m. Patrick McSweeney, Deputy Assistant Attorney General, Office of Legislative Affairs, was present in Senator Cannon's office during the morning as custodian of the reports, and Mr. Vincent McCarthy of the Department was present in that capacity during the afternoon review. The reports were returned to the Department by Mr. McCarthy.

During the course of his review Senator Cannon advised Mr. McSweeney it would be helpful if he could be furnished with background data, including information as to education, employment, arrest record, and any treatment for mental problems, pertaining to Robert N. Winter-Berger, author of the book, "The Washington Pay-Off," in which Winter-Berger made allegations about Ford. Senator Cannon

- 1 - Mr. Mintz
- 1 - Mr. Franck
- 1 - Mr. Bowers
- 1 - Mr. Callahan
- 1 - Mr. Cleveland
- 1 - Mr. Coleman
- 1 - Mr. Bruggeman
- 1 - Mr. Auerswald

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53 DEC 19 1973

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

indicated this would assist the Committee in making a determination as to the credibility of Winter-Berger. He noted that Winter-Berger, in his book, mentioned having been a witness for the Government in the case concerning Nathan Voloshen. Senator Cannon also referred to Winter-Berger's allegation that he loaned Ford \$15,000 and had never been repaid. He said he thought a review of Winter-Berger's income tax returns might reveal his ability or lack thereof to make such a loan. Mr. McSweeney advised Senator Cannon that the Department would consider his request.

Senator Cannon noted information appearing in the press regarding conversations by Earl (Red) Blaik from the suite of Fred B. Black with Ford in 1963 indicating Blaik's request of Ford to intervene to block the investigation of the AVCO Corporation regarding a defense contract. He inquired as to whether anything would appear in our reports regarding the conversations between Blaik and Ford. Mr. McSweeney advised the Senator that this matter is under consideration by the Department.

Senator Cannon noted that Winter-Berger, in his book, alleged that Ford told him the President of the Old Kent Bank and Trust Company, Grand Rapids, Michigan, loaned him the funds to buy one hundred shares of stock in that bank when he was made a Director of that bank. The President of this bank denied to our Agents having ever loaned or given Ford money to purchase this stock. Ford is being interviewed regarding this conflicting information.

Senator Cannon stated he had received a communication from [redacted] to Senator Charles Percy of Illinois, stating that during a Lincoln Day celebration on February 12, 1973, in Illinois, [redacted] one of several farmers who serve as advisors to Senator Percy, told him two persons in Illinois

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Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

had been in Washington, D. C., to bring money to Ford for distribution to other congressmen in connection with the 1973 farm bill. A press report concerning this matter states [redacted] denied making any such statement to [redacted]. We are making inquiries, including interviews with [redacted] and [redacted], to resolve this matter.

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RECOMMENDATION: For information.

[Handwritten signature]
[Handwritten initials] *[Handwritten signature]*

[Handwritten initials]

October 30, 1973

REC-86

GERALD RUDOLPH FORD

With regard to the investigation of Representative Ford, 33 field offices of the FBI were engaged in the investigation. The services of over 350 Special Agents of the FBI were utilized during the course of this investigation.

Investigation was instituted on the afternoon of October 15, 1973, and as of 2:30 p.m., October 30, 1973, over 1,000 interviews have been conducted.

The reports of this investigation comprise over 1,500 pages. The investigation is one of the most extensive investigations of its type ever conducted by the FBI.

*Del. to Mr. [unclear] 445 PM
10/30/73 [initials]*

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Director Sec'y _____

Prepared for transmittal to Senator Cannon at request of Deputy Assistant Attorney General for Legislative Affairs, Pat McSweeney.

DHY:dc

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53 DEC 10 1973

MAIL ROOM ☐

TELETYPE UNIT ☐

[Handwritten initials and signatures]

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UNITED STATES GOVERNMENT

Memorandum

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TO : Mr. Cleveland

DATE: 10-30-73

FROM : O. E. Coleman

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

You advised that at 1:50 p.m. today, Deputy Assistant Attorney General for Legislative Affairs, Pat McSweeney called you and requested some information concerning the Ford investigation for Senator Cannon's use in making an introductory statement before the Senate Rules Committee.

Senator Cannon wanted to know approximately how many Special Agents performed work on the investigation; the period of time involved; how many interviews we have conducted thus far; and the number of pages of reports involved thus far. He also wanted to know if this was the most extensive investigation of its type we have ever conducted.

We estimate that over 350 Special Agents were involved in this investigation. There were 33 field divisions involved. The period involved is from the afternoon of 10-15-73 to the afternoon of 10-30-73. We have thus far conducted over 1,000 interviews in the case and have prepared over 1,500 pages of reports.

This is not the most extensive special inquiry we have ever conducted; however, we can state that the Ford investigation is one of the most extensive special inquiries we have ever conducted.

Mr. McSweeney advised you that he desired to have this information by this afternoon for him to transmit it to Senator Cannon by tomorrow morning, 10-31-73.

ACTION: The foregoing information is being set forth in a letterhead memorandum and will be furnished separately to Mr. McSweeney.

REC-86

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NOT RECORDED

1 - Mr. Callahan
1 - Mr. Franck

1 - Mr. Cleveland
1 - Mr. Coleman
1 - Mr. Young

DHY:dc
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F B I

Date: 10/31/73

Transmit the following in _____
(Type in plaintext or code)Via AIRCEL _____
(Priority)

TO: DIRECTOR, FBI (161-9896)

FROM: SAC, WFO (161-9324) (P)

GERALD RUDOLPH FORD, aka
Gerald Rudolph Ford, Jr.,
Leslie King, Jr.
SPECIAL INQUIRY
BUDED: PAST

Re WFO report of SA [] to Bureau, 10/30/73.

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Enclosed for the Bureau are one (1) copy each of
the following:

Public Law 92-225, 92nd Congress, S. 382, February 7,
1972 ("Federal Election Campaign Act of 1971").

"Federal Corrupt Practices and Political Activities."
United States Senate, 90th Congress, 2nd Session, Document
No. 100, dated July 19, 1968.

1-Bureau (Encl. 2)
1-WFO (161-9324)
RST:
(2)

161-9896 219

Approved: 500-11/2/73
Special Agent in Charge

Sent _____ M Per _____



Public Law 92-225
92nd Congress, S. 382
February 7, 1972

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An Act

To promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Campaign Act of 1971".

Federal Elec-
tion Campaign
Act of 1971.

TITLE I—CAMPAIGN COMMUNICATIONS

SHORT TITLE

SEC. 101. This title may be cited as the "Campaign Communications Reform Act".

Citation of
title.

DEFINITIONS

SEC. 102. For purposes of this title:

(1) The term "communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for Federal elective office to communicate with potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

86 STAT. 3

(2) The term "broadcasting station" has the same meaning as such term has under section 315(f) of the Communications Act of 1934.

86 STAT. 4

Post, p. 7.

(3) The term "Federal elective office" means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States (and for purposes of section 103(b) such term includes the office of Vice President).

(4) The term "legally qualified candidate" means any person who (A) meets the qualifications prescribed by the applicable laws to hold the Federal elective office for which he is a candidate, and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors.

(5) The term "voting age population" means resident population, eighteen years of age and older.

(6) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

MEDIA RATE AND RELATED REQUIREMENTS

SEC. 103. (a) (1) Section 315(b) of the Communications Act of 1934 is amended to read as follows:

66 Stat. 717.
47 USC 315.

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination for election, or election, to such office shall not exceed—

"(1) during the forty-five days preceding the date of a primary or primary runoff election and during the sixty days preceding the date of a general or special election in which such person is a candidate, the lowest unit charge of the station for the same class and

(i) beginning on the date on which he (or such other person) first makes such an expenditure (or, if later, January 1 of the year in which the election for the office of President is held), and
(ii) ending on the date on which such political party nominates a candidate for the office of President.

For purposes of this title and of section 315 of the Communications Act of 1924, a candidate for presidential nomination shall be considered a legally qualified candidate for public office.

(C) The Comptroller General shall prescribe regulations under which any expenditure by a candidate for presidential nomination for the use in two or more States of a communications medium shall be attributed to such candidate's expenditure limitation in each such State, based on the number of persons in such State who can reasonably be expected to be reached by such communications medium.

(4) (A) For purposes of subparagraph (B):

(i) The term "price index" means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

(ii) The term "base period" means the calendar year 1970.

(B) At the beginning of each calendar year (commencing in 1972), as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under paragraph (1)(A)(i) and (ii) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

(5) Within 60 days after the date of enactment of this Act, and during the first week of January in 1973 and every subsequent year, the Secretary of Commerce shall certify to the Comptroller General and publish in the Federal Register an estimate of the voting age population of each State and congressional district for the last calendar year ending before the date of certification.

(6) Amounts spent for the use of communications media on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of communications media by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this section, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

(7) For purposes of this section and section 315(c) of the Communications Act of 1934—

(A) spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media, and

(B) any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for Federal elective office (or nomination thereto) shall be charged against the expenditure limitation under this subsection applicable to the election in which such medium is used.

(b) No person may make any charge for the use by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) of any newspaper, magazine, or outdoor advertising facility, unless such candidate (or a person specifically authorized by such candidate in writing to act on his behalf) has obtained

66 Stat. 717;
73 Stat. 557.
47 USC 315.
Regulations.
86 STAT. 5
86 STAT. 6

"price index."

"base period."
Publication in
Federal Register.

Publication in
Federal Register.

Post, p. 7.

Certification
requirement.

"(2) at any other time, the charges made for comparable use of such station by other users thereof."

(2) (A) Section 312(a) of such Act is amended by striking "or" at the end of clause (5), striking the period at the end of clause (6) and inserting in lieu thereof a semicolon and "or", and adding at the end of such section 312(a) the following new paragraph:

"(7) for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcast station by a legally qualified candidate for Federal elective office on behalf of his candidacy."

(B) The second sentence of section 315(a) of such Act is amended by inserting "under this subsection" after "No obligation is imposed".

(b) To the extent that any person sells space in any newspaper or magazine to a legally qualified candidate for Federal elective office, or nomination thereto, in connection with such candidate's campaign for nomination for, or election to, such office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes.

LIMITATIONS OF EXPENDITURES FOR USE OF COMMUNICATIONS MEDIA

SEC. 104. (a) (1) Subject to paragraph (4), no legally qualified candidate in an election (other than a primary or primary runoff election) for a Federal elective office may—

(A) spend for the use of communications media on behalf of his candidacy in such election a total amount in excess of the greater of—

(i) 10 cents multiplied by the voting age population (as certified under paragraph (5)) of the geographical area in which the election for such office is held, or

(ii) \$50,000, or

(B) spend for the use of broadcast stations on behalf of his candidacy in such election a total amount in excess of 60 per centum of the amount determined under subparagraph (A) with respect to such election.

(2) No legally qualified candidate in a primary election for nomination to a Federal elective office, other than President, may spend—

(A) for the use of communications media, or

(B) for the use of broadcast stations,

on behalf of his candidacy in such election a total amount in excess of the amounts determined under paragraph (1) (A) or (B), respectively, with respect to the general election for such office. For purposes of this subsection a primary runoff election shall be treated as a separate primary election.

(3) (A) No person who is a candidate for presidential nomination may spend—

(i) for the use in a State of communications media, or

(ii) for the use in a State of broadcast stations,

on behalf of his candidacy for presidential nomination a total amount in excess of the amounts which would have been determined under paragraph (1) (A) or (B), respectively, had he been a candidate for election for the office of Senator from such State (or for the office of Delegate or Resident Commissioner in the case of the District of Columbia or the Commonwealth of Puerto Rico).

(B) For purposes of this paragraph (3), a person is a candidate for presidential nomination if he makes (or any other person makes on his behalf) an expenditure for the use of any communications medium on behalf of his candidacy for any political party's nomination for elec-

74 Stat. 894.
47 USC 312.

66 Stat. 717.
47 USC 315.
Nonbroadcast
media rates.

86 STAT. 4
86 STAT. 5

Primaries.

Presidential
primaries.

Person making such charge that the payment of such charge will not violate paragraph (1), (2), or (3) of subsection (a), whichever is applicable.

(c) Section 315 of the Communications Act of 1934 is amended by redesignating subsection (c) as subsection (g) and by inserting after subsection (b) the following new subsections:

"(c) No station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate any limitation specified in paragraph (1), (2), or (3) of section 104(a) of the Campaign Communications Reform Act, whichever paragraph is applicable.

"(d) If a State by law and expressly—
"(1) has provided that a primary or other election for any office of such State or of a political subdivision thereof is subject to this subsection,

"(2) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election,

"(3) has provided in any such law an unequivocal expression of intent to be bound by the provisions of this subsection, and

"(4) has stipulated that the amount of such limitation shall not exceed the amount which would be determined for such election under section 104(a)(1)(B) or 104(a)(2)(B) (whichever is applicable) of the Campaign Communications Reform Act had such election been an election for a Federal elective office or nomination thereto;

then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate such State limitation.
"(e) Whoever willfully and knowingly violates the provisions of subsection (c) or (d) of this section shall be punished by a fine not to exceed \$5,000 or imprisonment for a period not to exceed five years, or both. The provisions of sections 501 through 503 of this Act shall not apply to violations of either such subsection.

"(f) (1) For the purposes of this section:
"(A) The term 'broadcasting station' includes a community antenna television system.

"(B) The terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, means the operator of such system.

"(C) The term 'Federal elective office' means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States.

"(2) For purposes of subsections (c) and (d), the term 'legally qualified candidate' means any person who (A) meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors."

REGULATIONS

SEC. 105. The Comptroller General shall prescribe such regulations as may be necessary or appropriate to carry out sections 102, 103(b),

66 Stat., 717.
47 USC 315.

Art. 5.

65 S
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Penalty.
47 USC 501-
503.
Definitions.

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PENALTIES

SEC. 106. Whoever willfully and knowingly violates any provision of section 103(b), 104(a), or 104(b) or any regulation under section 105 shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than five years, or both.

TITLE II—CRIMINAL CODE AMENDMENTS

SEC. 201. Section 591 of title 18, United States Code, is amended to read as follows:

§ 591. Definitions

"When used in sections 597, 599, 600, 602, 608, 610, and 611 of this title—

"(a) 'election' means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(b) 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal office, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) 'Federal office' means the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

"(d) 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

"(e) 'contribution' means—
"(1) a gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;

Post., pp. 9, 10.

"(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose; and

Exception.

"(5) notwithstanding the foregoing meanings of 'contribution', the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

"(f) 'expenditure' means—

"(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure; and

"(3) a transfer of funds between political committees; "(g) 'person' and 'whoever' mean an individual, partnership, committee, association, corporation, or any other organization or group of persons; and

"(h) 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States."

SEC. 202. Section 600 of title 18, United States Code, is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

SEC. 203. Section 608 of title 18, United States Code, is amended to read as follows:

"§ 608. Limitations on contributions and expenditures

"(a) (1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, to Federal office in excess of—

"(A) \$50,000, in the case of a candidate for the office of President or Vice President;

"(C) \$25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress. "(2) For purposes of this subsection, 'immediate family' means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

"(b) No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this section.

"(c) Violation of the provisions of this section is punishable by a fine not to exceed \$1,000, imprisonment for not to exceed one year, or both."

SEC. 204. Section 609 of title 18, United States Code, is repealed.

SEC. 205. Section 610 of title 18, United States Code, relating to contributions or expenditures by national banks, corporations, or labor organizations, is amended by adding at the end thereof the following paragraph:

"As used in this section, the phrase 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section; but shall not include communications by a corporation to its stockholders and their families or by a labor organization to its members and their families on any subject; nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families; the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation or labor organization: *Provided*, That it shall be unlawful for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisals; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction."

SEC. 206. Section 611 of title 18, United States Code, is amended to read as follows:

"§ 611. Contributions by Government contractors

"Whoever—

"(a) entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (1) the completion of performance under, or (2) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or

"(b) knowingly solicits any such contribution from any such person for any such purpose during any such period; shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

Sec. 207. The table of sections for chapter 29 of title 18, United States Code, is amended by—

(1) striking out the item relating to section 608 and inserting in lieu thereof the following:

"608. Limitations on contributions and expenditures.":

(2) striking out the item relating to section 609 and inserting in lieu thereof the following:

"(609). Repealed.":

(3) striking out the item relating to section 611 and inserting in lieu thereof the following:

"611. Contributions by Government contractors."

TITLE III—DISCLOSURE OF FEDERAL CAMPAIGN

FUNDS
DEFINITIONS

SEC. 301. When used in this title—

(a) "election" means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

(d) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

(e) "contribution" means—

(1) a gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential or vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expres-

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sion of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose;

(3) a transfer of funds between political committees;

(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee without charge for any such purpose; and

Exception.

(5) notwithstanding the foregoing meanings of "contribution", the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

(f) "expenditure" means—

(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, and

(3) a transfer of funds between political committees;

(g) "supervisory officer" means the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress of the United States; and the Comptroller General of the United States in any other case;

(h) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons; and

(i) "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 302. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution in excess of \$10 for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

Sec. 303. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall file with the supervisory officer a statement of organization, within ten days after its organization or, if later, ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of \$1,000. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the supervisory officer at such time as he prescribes.

- (b) The statement of organization shall include—
- (1) the name and address of the committee;
 - (2) the names, addresses, and relationships of affiliated or connected organizations;
 - (3) the area, scope, or jurisdiction of the committee;
 - (4) the name, address, and position of the custodian of books and accounts;
 - (5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;
 - (6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting, and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;
 - (7) a statement whether the committee is a continuing one;
 - (8) the disposition of residual funds which will be made in the event of dissolution;
 - (9) a listing of all banks, safety deposit boxes, or other repositories used;
 - (10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and
 - (11) such other information as shall be required by the supervisory officer.
- (c) Any change in information previously submitted in a statement of organization shall be reported to the supervisory officer within a ten-day period following the change.
- (d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall so notify the supervisory officer.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

Sec. 304. (a) Each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the appropriate supervisory officer reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of \$5,000 or more received after the last report is filed prior to the election shall be reported within forty-eight hours after its receipt.

Receipts and expenditures.

Completion date, exception.

86 STAT. 13

address (occupation and the principal place of business, if any) of the person making such contribution, and the date on which received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

- (1) all contributions made to or for such committee;
 - (2) the full name and mailing address (occupation and the principal place of business, if any) of every person making a contribution in excess of \$10, and the date and amount thereof;
 - (3) all expenditures made by or on behalf of such committee; and
 - (4) the full name and mailing address (occupation and the principal place of business, if any) of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.
- (d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of \$100 in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the supervisory officer.
- (e) Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.
- (f) (1) Any political committee shall include on the face or front page of all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the appropriate supervisory officer is (or will be) available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402."

(2) (A) The supervisory officer shall compile and furnish to the Public Printer, not later than the last day of March of each year, an annual report for each political committee which has filed a report with him under this title during the period from March 10 of the preceding calendar year through January 31 of the year in which such annual report is made available to the Public Printer. Each such annual report shall contain—

- (i) a copy of the statement of organization of the political committee required under section 303, together with any amendments thereto; and
 - (ii) a copy of each report filed by such committee under section 304 from March 10 of the preceding year through January 31 of the year in which the annual report is so furnished to the Public Printer.
- (B) The Public Printer shall make copies of such annual reports available for sale to the public by the Superintendent of Documents as soon as practicable after they are received from the supervisory officer.

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Recordkeeping.

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med.

Receipts, preservation.

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Unauthorized activities, notice.

Funds solicitation, notice.

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Annual report.

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SEC. 305. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of \$100 within a calendar year shall file with the supervisory officer a statement containing the information required by section 304. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 306. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

(c) The supervisory officer may, by published regulations of general applicability, relieve any category of political committees of the obligation to comply with section 304 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

(d) The supervisory officer shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

Noncompliance
relief.

Debts, pledges,
etc., separate
schedules.

REPORTS ON CONVENTION FINANCING

SEC. 307. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Comptroller General of the United States a full and complete financial statement, in such form and detail as he may prescribe, of the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE SUPERVISORY OFFICER

SEC. 308. (a) It shall be the duty of the supervisory officer—

(1) to develop and furnish to the person required by the provisions of this Act prescribed forms for the making of the reports and statements required to be filed with him under this title;

Pub. Law 92-225 - 12 - February 7, 1972
(b) Each report under this section shall disclose—
(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of \$100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(5) each loan to or from any person within the calendar year in an aggregate amount or value in excess of \$100, together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender and endorsers, if any, and the date and amount of such loans;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt in excess of \$100 not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of \$100, the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(10) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the supervisory officer may require until such debts and obligations are extinguished; and

(13) such other information as shall be required by the supervisory officer.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during

file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this title;

(4) to make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person; *Provided*, That any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the national, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed in excess of \$100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this title;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) The supervisory officer shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

(c) It shall be the duty of the Comptroller General to serve as a national clearinghouse for information in respect to the administration of elections. In carrying out his duties under this subsection, the Comptroller General shall enter into contracts for the purpose of conducting independent studies of the administration of elections. Such studies shall include, but shall not be limited to, studies of—

(1) the method of selection of, and the type of duties assigned

(2) practices relating to the registration of voters; and

(3) voting and counting methods.

Studies made under this subsection shall be published by the Comptroller General and copies thereof shall be made available to the general public upon the payment of the cost thereof. Nothing in this subsection shall be construed to authorize the Comptroller General to require the inclusion of any comment or commendation of the Comptroller General in any such study.

(d) (1) Any person who believes a violation of this title has occurred may file a complaint with the supervisory officer. If the supervisory officer determines there is substantial reason to believe such a violation has occurred, he shall expeditiously make an investigation, which shall also include an investigation of reports and statements filed by the complainant if he is a candidate, of the matter complained of. Whenever in the judgment of the supervisory officer, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title or any regulation or order issued thereunder, the Attorney General on behalf of the United States shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which the person is found, resides, or transacts business. Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.

(2) In any action brought under paragraph (1) of this subsection, subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(3) Any party aggrieved by an order granted under paragraph (1) of this subsection may, at any time within sixty days after the date of entry thereof, file a petition with the United States court of appeals for the circuit in which such person is found, resides, or transacts business, for judicial review of such order.

(4) The judgment of the court of appeals affirming or setting aside, in whole or in part, any such order of the district court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(5) Any action brought under this subsection shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this subsection).

Publication.

Violation.

Hearing opportunity; injunction.

Judicial review.

62 Stat. 328.

Information dissemination.

Rules and regulations.

Comptroller General, information and studies.

"Appropriate State."

STATEMENTS FILED WITH STATE OFFICERS

SEC. 309. (a) A copy of each statement required to be filed with a supervisory officer by this title shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent State officer) of the appropriate State. For purposes of this subsection, the term "appropriate State" means—

(1) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of President or Vice President of the United States, each State in which an expenditure is made by him or on his behalf, and

(2) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Senator or Representative in.

or Delegate or Resident Commissioner to, the Congress of the United States, the State in which he seeks election.

(b) It shall be the duty of the Secretary of State, or the equivalent State officer, under subsection (a) —

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with him;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

PROHIBITION OF CONTRIBUTIONS IN NAME OF ANOTHER

Sec. 310. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

Sec. 311. (a) Any person who violates any of the provisions of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) In case of any conviction under this title, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

TITLE IV—GENERAL PROVISIONS

EXTENSION OF CREDIT BY REGULATED INDUSTRIES

Sec. 401. The Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commission shall each promulgate, within ninety days after the date of enactment of this Act, its own regulations with respect to the extension of credit, without security, by any person regulated by such Board or Commission to any candidate for Federal office (as such term is defined in section 301(c) of the Federal Election Campaign Act of 1971), or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

PROHIBITION AGAINST USE OF CERTAIN FEDERAL FUNDS FOR ELECTION ACTIVITIES

Sec. 402. No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election"

eral Election Campaign Act of 1971, and the term "Federal office" has the same meaning given such term by section 301(c) of such Act. Ante, p. 11.

EFFECT ON STATE LAW

Sec. 403. (a) Nothing in this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this Act.

(b) Notwithstanding subsection (a), no provision of State law shall be construed to prohibit any person from taking any action authorized by this Act or from making any expenditure (as such term is defined in section 301(f) of this Act) which he could lawfully make under this Act.

PARTIAL INVALIDITY

Sec. 404. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

Sec. 405. The Federal Corrupt Practices Act, 1925 (2 U.S.C. 241-256), is repealed.

43 Stat. 1070.

EFFECTIVE DATE

Sec. 406. Except as provided for in section 401 of this Act, the provisions of this Act shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act, whichever is later.

Approved February 7, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-564 accompanying H.R. 11060 (Comm. on House Administration) and No. 92-752 (Comm. of Conference).

SENATE REPORTS: No. 92-96 (Comm. on Commerce), No. 92-229 (Comm. on Rules and Administration) and No. 92-580 (Comm. of Conference).

CONGRESSIONAL RECORD:

Vol. 117 (1971): July 21, 23, Aug. 2-5, considered and passed Senate, Nov. 18, 29, 30, considered and passed House, amended, in lieu of H.R. 11060.

Dec. 14, Senate agreed to conference report.

Vol. 118 (1972): Jan. 19, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 7: Feb. 7, Presidential statement.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-05-2008 BY 60324/UC/BAW/STP/bls

FEDERAL CORRUPT PRACTICES AND POLITICAL ACTIVITIES

FEDERAL CORRUPT PRACTICES ACT HATCH POLITICAL ACTIVITIES ACT

SENATOR HOWARD W. CANNON, *Chairman*

SUBCOMMITTEE ON PRIVILEGES AND ELECTIONS

OF THE

COMMITTEE ON RULES AND
ADMINISTRATION

UNITED STATES SENATE



JULY 19, 1968.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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WASHINGTON : 1968

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SENATE RESOLUTION 375

IN THE SENATE OF THE UNITED STATES,
Agreed to July 19, 1968.

Resolved, That a revised edition of Senate Document Numbered 68 of the Eighty-eighth Congress, entitled "Federal Corrupt Practices and Political Activities" be printed as a Senate document; and that there be printed four thousand additional copies of such document for the use of the Committee on Rules and Administration.

Attest:

FRANCIS R. VALEO,
Secretary.

(II)

FOREWORD

This document is published as a guide and ready reference to certain Federal election laws and miscellaneous related acts and regulations applicable to candidates for Federal office, political committees, political parties, and others seeking or attempting to influence the results of Federal elections.

Especially, it is intended to assist and instruct such candidates, committees, parties, and others concerning campaign contributions and expenditures, financial statements, and other political activities.

HOWARD W. CANNON,
Chairman, Subcommittee on Privileges and Elections.

(III)

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FEDERAL CORRUPT PRACTICES ACT, 1925, AS AMENDED

[Approved February 28, 1925; as amended June 25, 1943; and further amended June 20, 1947, June 25, 1948, May 24, 1949, and October 31, 1951]

[Public No. 506, 65th Cong., as amended by Public No. 89, 78th Cong., and further amended by Public Nos. 101 and 772, 80th Cong., Public No. 72, 81st Cong. and Public No. 248, 82d Cong.]

TITLE III.—FEDERAL CORRUPT PRACTICES ACT, 1925

Sec. 301. CITATION. (February 28, 1925, ch. 368, sec. 301, 43 Stat. 1070; 2 U.S.C., 1964 ed., sec. 256.)

Sec. 301. This title may be cited as the "Federal title. Corrupt Practices Act, 1925."

Sec. 302. DEFINITIONS. (February 28, 1925, ch. 368, sec. 302, 43 Stat. 1070; 2 U.S.C., 1964 ed., sec. 241.)

Sec. 302. When used in this chapter [2 U.S.C. §§ 241–256] and section 208 of title 18—

(a) The term "election" includes a general or special election,² but does not include a primary election or convention of a political party;

Meaning of terms used.
Election.

Candidate.

(b) The term "candidate" means an individual whose name is presented at an election for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

Political committee.

(c) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;

¹ The Federal Corrupt Practices Act was enacted as title III, sections 301–318 of "An Act reclassifying the salaries of postmaster and employees of the Postal Service, readjusting their salaries and compensation and equating such salaries and compensation with the salaries of such employees of other departments" (43 Stat. 1070–1074). Sections 310–313 have been repealed but have been reenacted and codified to appear in title 18, United States Code, and are no longer a part of the Corrupt Practices Act, but are given herewith to retain the continuity of the original act of 1925.

² The words "and, in the case of a Resident Commissioner from the Philippine Islands, an election by the Philippine Legislature," were omitted by Presidential Proclamation No.

Contribution.

(d) The term "contribution" includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution;

Expenditure.

(e) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

Person.

(f) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

Clerk.

(g) The term "Clerk" means the Clerk of the House of Representatives of the United States;

Secretary.

(h) The term "Secretary" means the Secretary of the Senate of the United States;

State.

(i) The term "State" includes Territory and possession of the United States.

Sec. 303. CHAIRMAN AND TREASURER OF POLITICAL COMMITTEES: DUTIES AS TO CONTRIBUTIONS: ACCOUNTS AND RECEIPTS. (February 28, 1925, ch. 368, sec. 303, 43 Stat. 1071; 2 U.S.C., 1964 ed., sec. 242).

Political committee.
Officers required.

Sec. 303. (a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen.

Accounts to be kept by treasurer.
Receipts.

(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

- (1) All contributions made to or for such committee;
- (2) The name and address of every person making any such contribution, and the date thereof;
- (3) All expenditures made by or on behalf of such committee; and

Note.—Section 591 of title 18, as enacted by Public Law 772, Eightieth Congress, second session, June 25, 1948, defines, for the purposes of sections 597, 599, 602, 609, and 610 of the revised title 18, the terms referred to in paragraphs (a) and (b) of section 303. Sections 597, 599, 602, and 610 of the new title 18 supersede sections 311, 310, 312, and 313, respectively of the Corrupt Practices Act. See *Infra*, notations under these sections. The act of May 24, 1949 (63 Stat. 90, 139, § 9) amended section 591 by elimination from the definition of "election" the reference to the Resident Commissioner from the Philippines. Section 591, as amended, is as follows:

"Sec. 591. Definitions
"When used in sections 597, 599, 602, 609, and 610 of this title—
"The term 'election' includes a general or special election, but does not include a primary election or caucus or caucus election in which an individual whose name is presented for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;
"The term 'political committee' includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State, if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association, or organization;
"The term 'contribution' includes a gift, subscription, loan, advance or deposit of money.

(4) The name and address of every person to whom any such expenditure is made, and the date thereof.
(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding \$10 in amount. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for a period of at least two years from the date of the filing of the statement containing such items.

Receipted bills to be kept.

Sec. 304. ACCOUNTS OF CONTRIBUTIONS RECEIVED. (February 28, 1925, ch. 368, sec. 304, 43 Stat. 1071; 2 U.S.C., 1964 ed., sec. 243.)

Sec. 304. Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within five days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received.

Contributions to be reported to the treasurer.

Sec. 305. STATEMENTS BY THE TREASURER FILED WITH CLERK OF HOUSE OF REPRESENTATIVES. (February 28, 1925, ch. 368, sec. 305, 43 Stat. 1071; 2 U.S.C., 1964 ed., sec. 244.)

Sec. 305. (a) The treasurer of a political committee shall file with the Clerk between the 1st and 10th days of March, June, and September, in each year, and also between the 10th and 15th days, and on the 5th day, next preceding the date on which a general election is to be held, at which candidates are to be elected in two or more States, and also on the 1st day of January, a statement containing, complete as of the day next preceding the date of filing—

Statements in detail to be filed with the Clerk by treasurers.
Filing dates.
Requirements.

- (1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of \$100 or more, together with the amount and date of such contribution;
- (2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);
- (3) The total sum of all contributions made to or for such committee during the calendar year;

(4) The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of \$10 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

List of contributors of \$100 or more.
Total from contributors.
Yearly total of all contributions.
List of expenditures, etc., of \$10 or more.

of money, or anything of value, and includes a contract, promise or agreement to make any

Total of all other expenditures.

Yearly total—
all expendi-
tures.
Statements
cumulative
during the
year.

Final statement
January 1.

- (5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);
- (6) The total sum of expenditures made by or on behalf of such committee during the calendar year.
- (b) The statements required to be filed by subdivision (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.
- (c) The statement filed on the 1st day of January shall cover the preceding calendar year.

Sec. 306. STATEMENTS BY OTHERS THAN POLITICAL COMMITTEE FILED WITH CLERK OF HOUSE OF REPRESENTATIVES. (February 28, 1925, ch. 368, sec. 306, 43 Stat. 1072; 2 U.S.C., 1964 ed., sec. 245.)

Statements by
individuals
expending \$50
or more.

Sec. 306. Every person (other than a political committee) who makes an expenditure in one or more items, other than by contribution to a political committee, aggregating \$50 or more within a calendar year for the purpose of influencing in two or more States the election of candidates, shall file with the Clerk an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 305.

Sec. 307. STATEMENTS BY CANDIDATES FOR SENATOR, REPRESENTATIVE, DELEGATE, OR RESIDENT COMMISSIONER FILED WITH SECRETARY OF SENATE AND CLERK OF HOUSE OF REPRESENTATIVES. (February 28, 1925, ch. 368, sec. 307, 43 Stat. 1072; 2 U.S.C. 1964 ed., sec. 246.)

Statements by
candidates.

Filing dates.

Requirements.

Contributions
received,
itemized.

Expenditures
made—
itemized.

Sec. 307. (a) Every candidate for Senator shall file with the Secretary and every candidate for Representative, Delegate, or Resident Commissioner shall file with the Clerk not less than ten nor more than fifteen days before, and also within thirty days after, the date on which an election is to be held, a statement containing, complete as of the day next preceding the date of filing—

- (1) A correct and itemized account of each contribution received by him or by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person who has made such contribution;
- (2) A correct and itemized account of each expenditure made by him or by any person for him with his knowledge or consent, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person to whom such ex-

Exception
(see p. 6).

penditure was made; except that only the total sum of expenditures for items specified in subdivision (c) of section 309 need be stated;

Promises or
pledges of
appointments
to public
or private
position.

(3) A statement of every promise or pledge made by him or by any person for him with his consent, prior to the closing of the polls on the day of the election, relative to the appointment or recommendation for appointment of any person to any public or private position or employment for the purpose of procuring support in his candidacy, and the name, address, and occupation of every person to whom any such promise or pledge has been made, together with the description of any such position. If no such promise or pledge has been made, that fact shall be specifically stated.

Statements
cumulative.

Exception.

(b) The statements required to be filed by subdivision (a) shall be cumulative, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

Report of total
votes at last
election to be
inclosed.

(c) Every candidate shall inclose with his first statement a report, based upon the records of the proper State official, stating the total number of votes cast for all candidates for the office which the candidate seeks, at the general election next preceding the election at which he is a candidate.

Sec. 308. STATEMENTS; VERIFICATION; FILING; PRESERVATION; INSPECTION. (February 28, 1925, ch. 368, sec. 308, 43 Stat. 1072; 2 U.S.C., 1964 ed., sec. 247.)

Statement
requirements
generally.

Verification.

Transmitted by
registered mail.

Duplicates.

Preservation
by Clerk or Sec-
retary for in-
spection for 2
years.

Sec. 308. A statement required by this title to be filed by a candidate or treasurer of a political committee or other person with the Clerk or Secretary, as the case may be—

- (a) Shall be verified by the oath or affirmation of the person filing such statement, taken before any officer authorized to administer oaths;
- (b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk or Secretary at Washington, District of Columbia, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk or Secretary of its nonreceipt;
- (c) Shall be preserved by the Clerk or Secretary for a period of two years from the date of filing, shall constitute a part of the public records of his office, and shall be open to public inspection.

Sec. 309. LIMITATION UPON AMOUNT OF EXPENDITURES BY CANDIDATE. (February 28, 1925, ch. 368, sec. 309, 43 Stat. 1073; 2 U.S.C., 1964 ed., sec. 248.)

in which he is a candidate, nor in excess of the amount which he may lawfully make under the provisions of this title.

(b) Unless the laws of his State prescribe a less amount as the maximum limit of campaign expenditures, a candidate may make expenditures up to—

(1) The sum of \$10,000 if a candidate for Senator, or the sum of \$2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

(2) An amount equal to the amount obtained by multiplying three cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding \$25,000 if a candidate for Senator or \$5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

Exception.

Amounts allowed (See State laws).

Senators: \$10,000. Representatives: \$2,500.

Alternative amount based on total votes at last election.

Senators: \$25,000. Representatives: \$5,000.

Specified personal expenses not included in limit.

Sec. [311.]⁴ 597. EXPENDITURES TO INFLUENCE VOTING. (Title 18 U.S.C., 1964 ed., sec. 597, superseding February 28, 1925, ch. 368, sec. 311, 43 Stat. 1073 and 2 U.S.C. sec. 250.)

SEC. 597. Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any expenditure in consideration of his vote or the withholding of his vote—

Shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

CROSS REFERENCE

For definitions of terms applicable to this section see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

Sec. [312.]⁵ 602. SOLICITATION OF POLITICAL CONTRIBUTIONS. (Title 18 U.S.C., 1964 ed., sec. 602, superseding February 28, 1925, ch. 368, sec. 312, 43 Stat. 1073 and 18 U.S.C., secs. 208 and 212.)

⁴Secs. 310-313 were repealed by Public Law 772, June 25, 1948, which act revised, codified, and enacted into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure."

Sec. 597 of title 18 quoted in the text above is a consolidation of former sec. 311 and sec. 314 of the Corrupt Practices Act. Reference to persons causing or procuring was omitted as unnecessary in view of the definition of "principal" in sec. 2 of title 18. "(a) Whoever commits an offense against the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal. (b) Whoever causes an act to be done which if directly performed by him, would be an offense against the United States, is deemed a principal as such. The punishment provisions of this section are made applicable to the offense of solicitation as such. Corrupt Practices Act were incorporated at the end of the revised sec. 597 of title 18 upon authority of reference in such section making them applicable to sec. 311 of the same act. The words "or both" in such section added to sec. 597 to conform to the almost universal formula of the punishment provisions of title 18. (See 80th Cong., 1st sess., H. Rept. 304 on H.R. 3190.)

⁵Secs. 310-313 were repealed by Public Law 772, June 25, 1948, which act revised, codified, and enacted into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure."

Sec. 602 has been expanded to embrace all officers or persons acting on behalf of any independent agencies or Government owned or controlled corporations by inserting words "or any department or agency thereof," it being the purpose of the inserted language to further what appeared unquestionably to be the intent of Congress; namely to cover all persons acting for the U.S. Government in an official function.

The punishment provision now contained in sec. 602 was taken from former sec. 212 of title 18, United States Code, which, by reference, made the punishment applicable to the entire title 18. In sec. 602 changes were also made in phraseology. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

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The punishment provision now contained in sec. 602 was taken from former sec. 212 of title 18, United States Code, which, by reference, made the punishment applicable to the entire title 18. In sec. 602 changes were also made in phraseology. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

CROSS REFERENCE

For definitions of terms applicable to this section see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

⁴Secs. 310-313 were repealed by Public Law 772, June 25, 1948, which act revised, codified, and enacted into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure."

Sec. 599 of title 18 quoted in the text above is a consolidation of former sec. 310 and sec. 314 of the Corrupt Practices Act. Changes in phraseology and phraseology were necessary to effect consolidation and the words "or both" were added to conform to the almost universal formula of the punishment provisions of title 18. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

Promising appointment, etc., to public or to private person to procure support of any person, unlawful. Penalty.

SEC. 599. Whoever, being a candidate, directly or indirectly promises or pledges the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than \$10,000 or imprisoned not more than two years, or both.

Congressmen, U.S. employees, etc., soliciting, receiving as- sessments, etc., from Govern- ment employ- ees, unlaw- ful.

SEC. 602. Whoever, being a Senator or Representa- tive in, or Delegate or Resident Commissioner to, or a candidate for Congress, or individual elected as Senator, Representative, Delegate, or Resident Commissioner, or an officer or employee of the United States or any depart- ment or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, directly or indirectly solicits, receives, or is in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person, shall be fined not more than \$5,000 or imprisoned not more than three years or both.

Penalty.

CROSS REFERENCE

For definitions of terms applicable to this section see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

NOTE.—Section 603 of title 18, 1958 ed., although not a section of the Corrupt Practices Act, contains a prohibition on the part of persons mentioned in section 602. Section 603 reads as follows:

Sec. 603. (As amended Oct. 31, 1951, ch. 655, sec. 20 (b), 65 Stat. 718.)^a Whoever, in any room or building occupied in the discharge of official duties by any person mentioned in section 602 of this title, or in any yard, fort, office, or other place, receives any contribution of money or other thing of value for political purposes, shall be fined not more than \$5,000 or imprisoned not more than three years or both.

Sec. [313.]⁷ 610. POLITICAL CONTRIBUTIONS AND EXPENDITURES BY NATIONAL BANKS, CORPORATIONS, AND LABOR ORGANIZATIONS; PENALTY. (Title 18, U.S.C., 1964 ed., sec. 610, superseding Febru- ary 28, 1925, ch. 368, sec. 313, 43 Stat. 1074, as amended June 25, 1943, ch. 144, sec. 9, 57 Stat. 107 and further amended June 23, 1947, ch. 120, title III, sec. 301, 61 Stat. 159. Since enactment into positive law on June 25, 1948, as sec. 610 of title 18 this section has been amended May 24, 1949, ch. 139, sec. 10, 63 Stat. 90, and further amended October 31, 1951, ch. 655, sec. 20 (c), 65 Stat. 718.)

^a 1951 Amendment. Act Oct. 31, 1951, amended section by striking out "from any such person" which followed "building," and inserting "any room or building," and by striking out "for political purposes" which followed "of value," and inserting "for political purposes, shall be fined not more than \$5,000 or imprisoned not more than three years or both." The Public Law No. 100, 1947, ch. 4, 60 Stat. 1103, prohibiting corporations from making money contributions in connection with political elections, Sec. 313 of the Corrupt Practices Act, as amended, was repealed by Public Law 772, June 25, 1948, but was reenacted without change and codified into positive law as sec. 610 of title 18 of the United States Code entitled "Crimes and Criminal Procedure." (See 80th Cong., 2d sess., S. Rept. 1620 on H.R. 3190.)

This section passed February 28, 1925, as section 313 of title III of "An Act reclassifying the salaries of the postal service, etc.", 43 Stat. 1053, 1070-1074; ch. 368, sec. 313 (H.R. 11444). Public Law No. 506, the War Labor Disputes Act, amended this section by adding the words "and labor organizations" after "national banks," and by striking out "for political purposes" which followed "of value," and inserting "for political purposes, shall be fined not more than \$5,000 or imprisoned not more than three years or both." The last sentence (57 Stat. 107, June 25, 1943; ch. 144, sec. 9, 18, 7961) Public Law No. 89, being U.S.C. title 50, App. sec. 1509, that amend- ment was temporary, however, and expired at the end of 6 months following the termi- nation of hostilities of World War II which was proclaimed at 12 o'clock noon of De- cember 31, 1946, by Proclamation No. 2714. The section was further amended and made permanent legislation in the form given above in the text by the Labor-Management Relations Act, 1947. This act extends the prohibition against contributions, both in the case of corporations and labor unions, to include expenditures as well as contributions, and includes primary elections and political conventions within the prohibitions (61 Stat. 159, June 23, 1947; ch. 120, title III, sec. 301 [H.R. 3190, Public Law No. 100, 1947, ch. 4, 60 Stat. 1103]). Act of May 24, 1949, a technical amendment, amended catchline of section 610 by

SEC. 610. It is unlawful for any national bank, or any corporation organized by authority of any law of Con- gress, to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any corporation whatever, or any labor organiza- tion to make a contribution or expenditure in connection with any election at which Presidential and Vice Presi- dential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section. Every cor- poration or labor organization which makes any contribu- tion or expenditure in violation of this section shall be fined not more than \$5,000; and every officer or director of any corporation, or officer of any labor organization, who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contribution, in violation of this section, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than \$10,000 or imprisoned not more than two years, or both. For the purposes of this section "labor organiza- tion" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

CROSS REFERENCE

For definitions of terms applicable to this section, see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

Sec. 314. GENERAL PENALTIES FOR VIOLATIONS. (February 28, 1925, ch. 368, sec. 314, 43 Stat. 1074; 2 U.S.C., 1964 ed., sec. 252.)

Punishment for violations not specifically covered.

Sec. 314. (a) Any person who violates any of the foregoing provisions of this title, except those for which a specific penalty is imposed by sections 312 and 313, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Punishment for willful violations.

(b) Any person who willfully violates any of the foregoing provisions of this title, except those for which a specific penalty is imposed by sections 312 and 313, shall be fined not more than \$10,000 and imprisoned not more than two years.

Sec. 315. EXPENSES OF ELECTION CONTESTS. (February 28, 1925, ch. 368, sec. 315, 43 Stat. 1074; 2 U.S.C., 1964 ed., sec. 253.)

Legal expenses for contest not affected.

Sec. 315. This title shall not limit or affect the right of any person to make expenditures for proper legal expenses in contesting the results of an election.

Sec. 316. STATE LAWS NOT AFFECTED. (February 28, 1925, ch. 368, sec. 316, 43 Stat. 1074; 2 U.S.C., 1964 ed., sec. 254.)

State laws, unless inconsistent, not affected.

Sec. 316. This title shall not be construed to annul the laws of any State relating to the nomination or election of candidates, unless directly inconsistent with the provisions of this title, or to exempt any candidate from complying with such State laws.

Sec. 317. PARTIAL INVALIDITY. (February 28, 1925, ch. 368, sec. 317, 43 Stat. 1074; 2 U.S.C., 1964 ed., sec. 255.)

Invalidity of any provision not to affect remainder of act.

Sec. 317. If any provision of this title or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provisions to other persons and circumstances shall not be affected thereby.

Sec. 318. REPEALING CLAUSES. (February 28, 1925, ch. 368, sec. 318, 43 Stat. 1074.)

Laws repealed.

Sec. 318. The following Acts and parts of Acts are hereby repealed: The Act entitled "An Act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910 (chapter 392, Thirty-sixth Statutes, page 822) and the Acts amendatory thereof, approved August 19, 1911 (chapter 33, Thirty-seventh Statutes, page 25), and August 23, 1912 (chapter 349, Thirty-seventh Statutes, page 360); the Act entitled "An Act to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress," approved October 16, 1918 (chapter 187,

36 Stat. 822.

37 Stat. 25, 360.

Fortieth Statutes, page 1013); and section 83 of the Criminal Code of the United States, approved March 4, 1909 (chapter 321, Thirty-fifth Statutes, page 1088), 1103.

Sec. 319. EFFECTIVE DATE. (February 28, 1925, ch. 368, sec. 319, 43 Stat. 1074.)

Sec. 319. This title shall take effect thirty days after its enactment.

Approved, February 28, 1925.

1.—CHRONOLOGY OF THE FEDERAL CORRUPT PRACTICES ACT SHOWING DATE OF ENACTMENT, AMENDMENTS, CODIFICATION, AND DISPOSITION OF EACH SECTION IN THE UNITED STATES CODE¹

Sections	Date of enactment, amendment, or codification	United States Statutes at Large citation				Former United States Code citation	United States Code, 1958 edition	Disposition of section on June 28, 1948, upon revision and enactment into positive law title 18, United States Code, entitled "Crimes and Criminal Procedure"
		Chapter	Section	Volume	Page			
1.....	Feb. 28, 1925	368	301	43	1070	Title 2, sec. 256.....	Title 2, sec. 256.....	
2.....	do.....	368	302	43	1070	Title 2, sec. 241.....	Title 2, sec. 241.....	
3.....	do.....	368	303	43	1071	Title 2, sec. 242.....	Title 2, sec. 242.....	
4.....	do.....	368	304	43	1071	Title 2, sec. 243.....	Title 2, sec. 243.....	
5.....	do.....	368	305	43	1071	Title 2, sec. 244.....	Title 2, sec. 244.....	
6.....	do.....	368	306	43	1072	Title 2, sec. 245.....	Title 2, sec. 245.....	
7.....	do.....	368	307	43	1072	Title 2, sec. 246.....	Title 2, sec. 246.....	
8.....	do.....	368	308	43	1072	Title 2, sec. 247.....	Title 2, sec. 247.....	
9.....	do.....	368	309	43	1073	Title 2, sec. 248.....	Title 2, sec. 248.....	
0.....	do.....	368	310	43	1073	Title 2, sec. 249.....	Title 2, sec. 249.....	Repealed but revised, codified and reenacted into positive law as 18 U.S.C. 599 (new).
pealed but reenacted and codified in title 18, United States Code.	June 25, 1948	645	1, 21	62	721 [sec. 599]	.....	Title 18, sec. 599.....	
1.....	Feb. 28, 1925	368	311	43	1073	Title 2, sec. 250.....	.....	Repealed but revised, codified, and reenacted into positive law as 18 U.S.C. 597 (new).
pealed but reenacted and codified in title 18, United States Code.	June 25, 1948	645	1, 21	62	721 [sec. 597]	.....	Title 18, sec. 597.....	
2 ²	Feb. 28, 1925	368	312	43	1073	Title 18, sec. 208.....	.....	Repealed but revised, codified, and reenacted into positive law as 18 U.S.C. 602 (new).
pealed but reenacted and codified in title 18, United States Code.	June 25, 1948	645	1, 21	62	722 [sec. 602]	.....	Title 18, sec. 602.....	
3.....	Feb. 28, 1925	368	313	43	1074	Title 2, sec. 251.....	.....	Repealed but revised, codified, and reenacted into positive law as 18 U.S.C. 610 (new).
ended (temporary).....	June 25, 1943	144	9	57	167	Title 2, sec. 251 and title 50 appendix, sec. 1509.....	.....
ended.....	June 23, 1947	120	304	61	159	Title 2, sec. 251 and title 50 appendix, sec. 1509.....	.....
pealed but reenacted and codified in title 18, United States Code.	June 25, 1948	645	1, 21	62	723 [sec. 610]	.....	Title 18, sec. 610.....	
ended.....	May 24, 1949	139	10	63	865	.....	do.....	
Do.....	Oct. 31, 1951	655	20(c)	65	718	.....	do.....	
1.....	Feb. 28, 1925	368	314	43	1074	Title 2, sec. 252.....	Title 2, sec. 252.....	
acted.....	June 28, 1948	645	1	62	721, 723	Title 2, sec. 252; title 18, secs. 597, 599, 609.....	.....	No change. The punishment provisions remained in 2 U.S.C. 252 but were also incorporated in 18 U.S.C. 597 (new), 599 (new), 609 (new).
5.....	Feb. 28, 1925	368	315	43	1074	Title 2, sec. 253.....	Title 2, sec. 253.....	
.....	do.....	368	316	43	1074	Title 2, sec. 254.....	.....
.....	do.....	368	317	43	1074	Title 2, sec. 255.....	.....
.....	do.....	368	318	43	1074	Repealing clauses; not codified.....	.....
.....	do.....	368	319	43	1074	Effective date; not codified.....	.....

¹ Federal Corrupt Practices Act of Feb. 28, 1925, was enacted as title III, secs. 301-319, of 43 Stat. 1070-1074, "An Act reclassifying the salaries of postmasters and employees of the service, readjusting their salaries and compensation on an equitable basis, increasing postal provide for such readjustment, and for other purposes."

² Sec. 312 as enacted on Feb. 28, 1925, was an amendment only to original sec. 11 of the Civil Service Act, also called the Pendleton Act, enacted during the 2d sess. of the 47th Cong., effective Jan. 18, 1883, formerly codified as sec. 118 of the Criminal Code of Mar. 4, 1909, 35 Stat. 1110.

AN ACT TO PREVENT PERNICIOUS POLITICAL ACTIVITIES, 1939, AS AMENDED

or

HATCH POLITICAL ACTIVITIES ACT, 1939, AS AMENDED

[Public Law No. 252, 76th Cong., August 2, 1939, ch. 410, sec. 1-11, 53 Stat. 1157; as amended by Public Law No. 753, 76th Cong., July 19, 1940, ch. 640, sec. 1-6, 54 Stat. 767; (and further amended by Public Law No. 507, 77th Cong., March 27, 1942, ch. 199, title VII, sec. 701, 56 Stat. 181, which expired March 31, 1947, under provisions of Public Law No. 475, 79th Cong., June 29, 1946, ch. 526, 60 Stat. 345, Public Law No. 754, 77th Cong., October 24, 1942, ch. 620, 56 Stat. 986; and further amended by Public Law No. 277, 78th Cong., April 1, 1944, ch. 150, title V, sec. 501, 58 Stat. 148-149, as amended by Public Law No. 418, 78th Cong., August 21, 1944, ch. 404, 58 Stat. 727, which expired December 31, 1946, by Proclamation of the President No. 2714; Public Law No. 684, 79th Cong., August 8, 1946, ch. 904, 60 Stat. 937; also cited as United States Code, 1946, title 18, sec. 61-61x, certain provisions of sec. 61h expiring March 31, 1947, under provisions of Public Law No. 475, 77th Cong., June 29, 1946, ch. 526, 60 Stat. 345, and secs. 61v, 61w, 61x expiring December 31, 1946, by Proclamation of the President No. 2714, as amended by Public Law No. 772, 80th Cong., 2d sess., June 25, 1948; as amended by Public Law 732, 81st Cong., as amended by Public Law 330, 84th Cong.; as amended by Public Law 753, 87th Cong.; as amended by Public Law 554, 89th Cong.].

For disposition of the various sections of the Hatch Political Activities Act by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 25, 1948, see table on page 12.

**Sec. [1] ^s 594. INTIMIDATION AND COERCION OF
VOTERS IN ELECTIONS OF CERTAIN OFFICERS.**
(Title 18, U.S.C., 1964 ed., sec. 594, as enacted by
Public Law 772, 80th Cong., 2d sess., superseding secs.
1 and 8 of the Act of August 2, 1939, ch. 410, 53 Stat.
1147, 1148, and formerly 18 U.S.C., secs. 61 and 61g.)

Sec. 594. Whoever intimidates, threatens, coerces, or
attempts to intimidate, threaten, or coerce, any other
person for the purpose of interfering with the right of
electors.

^s Former secs. 1-8, 10-11, 13, 17, and 20 of the Hatch Act were repealed by Public Law 772, 80th Cong., 2d sess., June 25, 1948, which act revised, modified, and enacted into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure." Secs. 10, 11, and 17 were omitted from the revised title 18 for reasons stated in the notes here under the particular section. Secs. 9, 12, 15-16, 3, and 19 of the Hatch Act have been transferred to title 3, Executive Department and title 5, U.S.C., where they are now Secs. 1101 to 1104, title 5, U.S.C., and Secs. 3301 to 3304, title 5, U.S.C., respectively. Sec. 9 was repealed by Public Law 330, 84th Cong., 1st sess., August 9, 1953. Sec. 14 appears as sec. 118k-3 in 5 U.S.C. Code 1958 ed.

Sec. 594 of title 18 quoted in the text above is based on former secs. 1 and 8 (former secs. 61 and 61g of title 18, U.S.C.) and consolidates these sections with changes in phraseology only. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

(15)

Intimidation or coercion of voters by any person unlawful.

such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates, or Commissioners from the Territories and Possessions, at any election held solely or in part for the purpose of electing such candidate, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Penalty.

Sec. [2.]⁹ 595. ADMINISTRATIVE EMPLOYEES OF UNITED STATES OR ANY STATE. USE OF OFFICIAL AUTHORITY TO INFLUENCE ELECTIONS. (Title 18, U.S.C., 1964 ed., sec. 595, as enacted by Public Law 772, 80th Cong., 2d sess., superseding secs. 2 and 8 and incorporating the provisions of secs. 14, 19, and 21 of the Act of August 2, 1939, ch. 410, 53 Stat. 1147, 1148, as amended by the Act of July 19, 1940, ch. 640, 54 Stat. 767; and further amended by the Act of October 24, 1942, ch. 620, 56 Stat. 986 and formerly 18 U.S.C., secs. 61a, 61g, 61n, 61s, and 61u.)

Use of official authority by anyone in administrative position for purpose of interfering with election, unlawful.

Includes District of Columbia employees.

Includes employees of federally financed projects of States and municipalities.

SEC. 595. Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or Possession of the United States, or any political subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or Possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate

⁹ Sec. 595 quoted in the text above consolidates former secs. 2 and 8 and incorporates secs. 14, 19 and 21 of the Hatch Act. Words "or agency thereof" and words "or any department or agency thereof" were inserted to remove any possible ambiguity as to scope of the new section. Definitions of the terms "department" and "agency" are now found in sec. 6 of title 18, the term "agency" including any department, independent establishment, commission, administration, authority, board, or bureau of the United States or any corporation in which the United States has a proprietary interest unless the context shows that such term when used in the Act is to be construed to mean a political subdivision. That such term when used in the Act is to be construed to mean a political subdivision is shown by the fact that the District of Columbia or any agency or instrumentality thereof" were inserted upon authority of sec. 14 of the Hatch Act which provides that for the purposes of this section "persons employed in the government of the District of Columbia shall be deemed to be employed in the executive branch of the government of the United States." After "State" the words "Territory or possession of the United States" were inserted in two places upon authority of sec. 19 of the Hatch Act which defines "State," as used in this section, as "any State, Territory, or possession of the United States." The punishment provision now found in sec. 595 was derived from former sec. 8 of the Hatch Act, which by reference made the punishment applicable.

The second paragraph of sec. 595 incorporates the provisions of sec. 21 of the Hatch

or Resident Commissioner from any Territory or Possession, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Penalty.

Employees of educational and research institutions, etc.

This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any state or political subdivision thereof, or by the District of Columbia or by any Territory or Possession of the United States: or by any recognized religious, philanthropic, or cultural organization.

Sec. [3]¹⁰ 600. POLITICAL ACTIVITY; PROMISE OF EMPLOYMENT, COMPENSATION OR OTHER BENEFIT. (Title 18, U.S.C., 1964 ed., sec. 600, as enacted by Public Law 772, 80th Cong., 2d sess., superseding secs. 3 and 8, of the Act of August 2, 1939, ch. 410, 53 Stat. 1147, 1148, and formerly 18 U.S.C., secs. 61b and 61g.)

SEC. 600. Whoever, directly or indirectly, promises any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any Act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Promise of benefit of any person as support of or opposition to a candidate or political party unlawful.

Penalty.

Sec. [4]¹¹ 601. SAME; DEPRIVATION OF EMPLOYMENT, COMPENSATION OR OTHER BENEFIT. (Title 18 U.S.C. 1964 ed., sec. 601, as enacted by Public Law 772, 80th Cong., 2d sess., superseding secs. 4 and 8, of the Act of August 2, 1939, ch. 410, 53 Stat. 1147, 1148, and formerly 18 U.S.C., secs. 61c and 61g.)

Discrimination in work relief, etc., on account of race, creed, etc., unlawful.

SEC. 601. Whoever, except as required by law, directly or indirectly, deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Penalty.

¹⁰ Sec. 600 quoted in the text above is based on and consolidates former secs. 3 and 8 of the Hatch Act. Minor changes were made in phraseology. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

¹¹ Sec. 601 quoted in the text above is based on and consolidates former secs. 4 and 8 of the Hatch Act. The words "except as required by law" were inserted in order to refer to the reference to the exceptions in subsection (b) of sec. 9 of the Hatch Act. The words "or other benefit provided for or made possible by any Act of Congress" were inserted in order to refer to the circumstances under which a person may be lawfully deprived of his employment and compensation therefor. Changes were made in phraseology, (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

Penalty.

**Disclosure of
lists or names
of persons on
relief for politi-
cal purposes
unlawful.**

Penalty.

^{2a} See 604, quoted in the text above is based on and consolidates former secs. 5 and 8 of the Hatch Act. Minor changes were made in phraseology. (See 80th Cong., 1st sess., H. Rep. No. 304 on H.R. 3190.)

^{2b} See 605, quoted in the text above is based on and consolidates former secs. 6 and 8 of the Hatch Act. Reference to persons aiding or assisting, contained in words "to aid or assist" has been changed to "to aid or assist in the commission of an offense against the United States" as a principal (a) or an abettor, abets, counsels, commands, induces, or procures its commission is a principal. (b) Whoever causes an act to be done, which if directly performed by him would be an offense against the United States, is also a principal and punishable as such. Changes were made in phraseology. (See 80th Cong., 1st sess., H. Rep. No. 304 on H.R. 3190.)

^{2c} See 598, quoted in the text above is based on and consolidates former secs. 7 and 8 of the Hatch Act. Minor changes were made in phraseology. (See 80th Cong., 1st sess., H. Rep. No. 304 on H.R. 3190.)

Relief, etc.,
funds, provid-
ing loans for
public works for
projects, use to
coerce or re-
strain voters
unlawful.

Penalty.

Sec. [8.]¹⁵ 594, 595, 598, 600, 601, 604, 605. PEN-
ALTI-ES. (Sec. 8, of the Act of August 2, 1939, ch. 410,
53 Stat. 1148 formerly 18 U.S.C., sec. 61g was repealed
by Public Law 772, 80th Cong., 2d sess., but was re-
enacted and consolidated with former sections 1-7 of the
Act of August 2, 1939, as title 18, U.S.C., 1964 ed., secs.
595, 598, 600, 601, 604, and 605.)

(Secs. 9, 14, 15, 21)¹⁶ 5 U.S.C. (1966), § 7324. INFLUENCING ELECTIONS; TAKING PART IN POLITICAL CAMPAIGNS; PROHIBITIONS; EXCEPTIONS. (August 2, 1939, ch. 410, sec. 9, 53 Stat. 1148, 1149; as amended July 19, 1940, ch. 640, sec. 2, 54 Stat. 767; and further amended March 27, 1942, ch. 199, title VII, sec. 701, 56 Stat. 176, 181; June 29, 1946, ch. 526, sec. 1, 60 Stat. 345; August 8, 1946, ch. 904, 60 Stat. 937; March 31, 1947, ch. 29, sec. 3, 61 Stat. 34; July 15, 1947, ch. 248, sec. 3, 61 Stat. 321, 322; August 25, 1950, ch. 784, sec. 1, 64 Stat. 475; 5 U.S.C. 1964 ed., sec. 1181; September 6, 1966, Public Law 89-554, 80 Stat. 525, contained in recodification of title 5, United States Code, 5 U.S.C., sec. 7324.)

(a) An employee in an Executive agency or an individual employed by the government of the District of Columbia may not—

¹⁵ For disposition of sec. 8 see secs. [1] 594, [2] 595, [3] 600, [4] 601, [5] 604, [6] 605, and [7] 598.

Sec. 8 of the Hatch Act, providing a penalty for violation of secs. 1 through 7 was repealed by Public Law 772, 80th Cong., 2d sess., but was reenacted as a penalty provision in title 18, U.S.C. 1958 ed. secs. 594, 595, 598, 600, 601, 604, and 605. (See 80th Cong. 1st sess., H. Rept. No. 3190.)

A Sec. 9 was enacted August 2, 1939, and formerly appeared as sec. 61th of title 18 U.S.C. Code, 1940 ed., but was excluded from title 18 and recommended for transfer to title 5, U.S.C. Code, 1948 ed. by the Revision Commission. (See 772, H.R. 6190.)

80th Cong. 2d sess. June 25, 1948 ch. 646, 62 Stat. 683. Sec. 9 formerly appeared as sec. 1181 in title 5, U.S.C. Code, 1958 ed.

Sec. 14 of the Hatch Act providing that District of Columbia employees be included within the provisions of the act was added July 19, 1940, and formerly appeared as sec. 61n of title 18, U.S. Code in both 1940 and 1946 eds. Sec. 14 was excluded from title 18 in 1948 and left dangling without recommendation for transfer to title 5 upon the revision and recodification of title 18, U.S. Code in 1949. Sec. 14 was transferred to title 5, U.S. Code in 1948, 645, 62 Stat. 683. Sec. 14 is contained in title 5, U.S. Code and formerly appeared as sec. 118k-3 of title 5, U.S. Code, 1958 ed., title 5.

Sec. 15 was added July 19, 1940, and formerly appeared as sec. 61o of title 18, U.S. Code, 1940 ed., but was excluded from title 18 and recommended for transfer to title 5 upon the revision and recodification of title 18, U.S. Code in 1949. Sec. 15 was transferred to title 5, U.S. Code in 1948, 645, 62 Stat. 683. Sec. 15 formerly appeared as sec. 118k-4 of title 5, U.S. Code, 1958 ed., title 5.

Sec. 21 was added October 24, 1942, and formerly appeared as sec. 61u of title 18, U.S. Code, 1940 ed., Supp. V (1941-1946), but was excluded from title 18 and left dangling without recommendation for transfer to title 5 upon the revision and codification of title 18 by Public Law 779 (H.R. 2140), 80th Cong. 2d sess. June 95, 1948, ch. 645, §2.

(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election; or

(2) take an active part in political management or in political campaigns.

For the purpose of this subsection, the phrase "an active part in political management or in political campaigns" means those acts of political management or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

(b) An employee or individual to whom subsection (a) of this section applies retains the right to vote as he chooses and to express his opinion on political subjects and candidates.

(c) Subsection (a) of this section does not apply to an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by the District of Columbia or by a recognized religious, philanthropic, or cultural organization.

(d) Subsection (a)(2) of this section does not apply to—

- (1) an employee paid from the appropriation for the office of the President;
- (2) the head or the assistant head of an Executive department or military department;
- (3) an employee appointed by the President, by and with the advice and consent of the Senate, who determines policies to be pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws;
- (4) the Commissioners of the District of Columbia;¹⁷ or
- (5) the Recorder of Deeds of the District of Columbia.¹⁸

SECTION 7324

Derivation:	United States Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 118(a) (1st 2 sentences) (sec. 91(a), Hatch Act).	Aug. 2, 1939, ch. 410, § 9(a) (1st 2 sentences), 53 Stat. 1148. Mar. 27, 1942, ch. 199, § 701, 56 Stat. 181.
	5 U.S.C. 118k-3 (1st 33 words) (sec. 14, Hatch Act).	July 19, 1940, ch. 640, § 4 "Sec. 771."
	5 U.S.C. 118l (less applicability to 5 U.S.C. 118k) (sec. 15, Hatch Act).	July 19, 1940, ch. 640, § 4 "Sec. 771." (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767).
(b)	5 U.S.C. 118l(a) (3d sentence) (sec. 9 (a), Hatch Act).	Aug. 2, 1939, ch. 410, § 9(a) (3d sentence), 53 Stat. 1148. July 19, 1940, ch. 640, § 2, 54 Stat. 767.

(c) 5 U.S.C. 118k-1 (less applicability to 5 U.S.C. 118k) (sec. 21, Hatch Act).

Oct. 24, 1942, ch. 620 "Sec. 21 (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 56 Stat. 986.

(d) 5 U.S.C. 118l(a) (4th sentence) (sec. 9(a), Hatch Act).

Aug. 2, 1939, ch. 410, § 9(a) (4th sentence), 53 Stat. 1148.
July 19, 1940, ch. 640, § 4 "Sec. 14 (less 1st 33 words)", 54 Stat. 771.

In subsection (a), the words "July 19, 1940" are substituted for "at the time this section takes effect". The amendment made by the Act of Mar. 27, 1942, is omitted because it expired Mar. 31, 1947, under section 1501 of that Act, as added June 29, 1946, ch. 526, § 1, 60 Stat. 345; 50A U.S.C. 645.

In subsection (c), the reference in the Act of Oct. 24, 1942, to section 2 of the Act of Aug. 2, 1939, is omitted as that section was repealed by the Act of June 25, 1948, ch. 645, § 21, 62 Stat. 867, and is now covered by section 595 of title 18.

In subsection (d), the exception for the President and Vice President of the United States is omitted as unnecessary, as they are not "employees" under the definition in section 2105. In subsection (d)(2), the words "or military departments" are inserted to preserve the application of the source law. Before enactment of the National Security Act Amendments of 1949 (63 Stat. 578), the Department of the Army, the Department of the Navy, and the Department of the Air Force were Executive departments. The National Security Act Amendments of 1949 established the Department of Defense as an Executive department including the Department of the Army, the Department of the Navy, and the Department of the Air Force as military departments, not as Executive departments. However, the source law for this subsection, which was in effect in 1949, remained inapplicable to the head or assistant head of a military department by virtue of section 12(g) of the National Security Act Amendments of 1949 (63 Stat. 591), which is set out in the reviser's note for section 301. Standard changes are made to conform with the definitions applicable.

(Sec. 9) 5 U.S.C. (1966), § 7325. **PENALTIES.** An employee or individual who violates section 7324 of this title shall be removed from his position, and funds appropriated for the position from which removed thereafter may not be used to pay the employee or individual. However, if the Civil Service Commission finds by unanimous vote that the violation does not warrant removal, a penalty of not less than 30 days' suspension without pay shall be imposed by direction of the Commission.

Sec. [9A.]¹⁹ FEDERAL EMPLOYEES; MEMBERSHIP IN POLITICAL PARTY OR ORGANIZATION ADVOCATING OVERTHROW OF UNITED STATES GOVERNMENT; PROHIBITION; PENALTIES. (August 2, 1939, ch. 410, sec. 9A, 53 Stat. 1147, 1148; 5 U.S.C. 1952 ed. 1181; repealed August 9, 1955, by clause 2 of sec. 4 of Public Law 330, 84th Cong., 1st sess., ch. 690 but reenacted in substance by clause (2) of sec. 1 of Public Law 330 [H. Rept. No. 1152 and S. Rept. No. 1256 on H.R.

Sec. [10.]²⁰ **EFFECT ON EXISTING LAW.** (August 2, 1939, ch. 410, sec. 10, 53 Stat. 1147, 1149; as amended, 54 Stat. 767; formerly 18 U.S.C., sec. 61j.)

Sec. [11.]²¹ **SEPARABILITY CLAUSE.** (53 Stat. 1149; formerly 18 U.S.C., sec. 61k.)

SECTION 7325

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 1181(b)	Aug. 2, 1939, ch. 410, § 9(b), 53 Stat. 1148.
	(less last proviso, and less last sentence) (sec. 9(b), Hatch Act).	Aug. 25, 1950, ch. 784, § 1 "Sec. 9(b) (less last proviso, and less last sentence)", 64 Stat. 475.
		Oct. 5, 1962, Pub. L. 87-753, 76 Stat. 750.

The word "removed" is substituted for "removed immediately" because of the provisions of the Veterans' Preference Act of 1944, 58 Stat. 387, as amended, which is carried into this title. The words "or office" are omitted as included in "position". The words "by any Act of Congress" are omitted as unnecessary.

Standard changes are made to conform with the definitions applicable.

(Secs. 12,²² 15, 18, 19, 21) **5 U.S.C. (1966) § 1501. DEFINITIONS—EMPLOYEES OF CERTAIN STATE OR LOCAL AGENCIES FINANCED BY LOANS OR GRANTS FROM UNITED STATES—INFLUENCING ELECTIONS; OFFICER OR EMPLOYEE DEFINED.** (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 767; amended June 25, 1948, ch. 646, sec. 32(a), 62 Stat. 991, and further amended May 24, 1949, ch. 139, sec. 127, 63 Stat. 107, and June 11, 1960, Pub. L. 86-507, sec. 1(1), 74 Stat. 200; Title 5

²⁰ Former sec. 10 of the Hatch Act was repealed by Public Law 772, 80th Cong., 2d sess. The section was omitted as unnecessary because in the enactment of the revision of title 18 all old sections included in the new title are on an equal basis with those of title 18 and are under the authority of the Revised Statutes. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

²¹ Former sec. 11 of the Hatch Act was repealed by Public Law 772, 80th Cong., 2d sess. The section was omitted as unnecessary because sec. 18 of the Public Law 772 provides for separability of provision with respect to the entire new title 18. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

²² Formerly sec. 611 of title 18, U.S.C., 1940 ed. Sec. 15 was added July 19, 1940, and formerly appeared as sec. 619 of title 18, U.S.C., 1940 ed., but was excluded from title 18 and recommended for transfer to title 5 upon revision and codification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 25, 1948, ch. 645, 62 Stat. 683. Sec. 15 appears as sec. 1181 in title 5, U.S.C., 1958 ed.

Sec. 18 was added July 19, 1940, and formerly appeared as sec. 619 of title 18, U.S.C., 1940 ed., but was excluded from title 18 and recommended for transfer to title 5 upon revision and codification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 25, 1948, ch. 645, 62 Stat. 683. Sec. 18 formerly appeared as sec. 118k-2 of title 5, U.S.C., 1958 ed.

Sec. 19 of the Hatch Act defining the term "State" was added July 19, 1940, and formerly appeared as sec. 618 of title 18, U.S.C., 1940 ed., but was excluded from title 18 and recommended for transfer to title 5 upon revision and codification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 25, 1948, ch. 645, 62 Stat. 683. Sec. 19 formerly appeared as sec. 118k-2 of title 5, U.S.C., 1958 ed.

In the revision of title 18, U.S.C., on June 25, 1948, upon authority of sec. 19 the words "Territory or Possession of the United States" were inserted in two places in sec. 595 (new) of title 18. (See note to sec. 121-595.)

Sec. 21 was added October 24, 1942, and formerly appeared as sec. 61u of title 18, U.S.C., 1940 ed., Supp. V (1941-1946), but was excluded from title 18 and left dangling without recommendation for transfer to title 5 upon the revision and codification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 25, 1948, ch. 645, 62 Stat. 683. Sec. 21, formerly appearing as sec. 118k-1 in title 5 U.S.C., 1958 ed.

U.S.C., 1964 ed., sec. 118k; September 6, 1966, Public Law 89-554, 80 Stat. 525, contained in recodification of title 5, United States Code, 5 U.S.C., secs. 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508).

For the purpose of this chapter—

(1) "State" means a State or territory or possession of the United States;

(2) "State or local agency" means the executive branch of a State, municipality, or other political subdivision of a State, or an agency or department thereof;

(3) "Federal agency" means an Executive agency or other agency of the United States, but does not include a member bank of the Federal Reserve System;

(4) "State or local officer or employee" means an individual employed by a State or local agency whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a Federal agency, but does not include—

(A) an individual who exercises no functions in connection with that activity; or

(B) an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization; and

(5) the phrase "an active part in political management or in political campaigns" means those acts of political management or political campaigning which were prohibited on the part of employees in the competitive service before July 19, 1940, by determinations of the Civil Service Commission under the rules prescribed by the President.

5 U.S.C. 1502. INFLUENCING ELECTIONS: TAKING PART IN POLITICAL CAMPAIGNS: PROHIBITIONS; EXCEPTIONS.

(a) A State or local officer or employee may not—

(1) use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

(2) directly or indirectly coerce, attempt to coerce, command, or advise a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; or

(3) take an active part in political management or in political campaigns.

(b) A State or local officer or employee retains the right to vote as he chooses and to express his opinions on political subjects and candidates.

(c) Subsection (a) (3) of this section does not apply to—
(1) the Governor or Lieutenant Governor of a State or an individual authorized by law to act as Governor;

(2) the mayor of a city;

(3) a duly elected head of an executive department of a State or municipality who is not classified under a State or municipal merit or civil-service system; or

(4) an individual holding elective office.

SECTION 1501

- Derivation: United States Code Revised Statutes and Statutes at Large
- (1) 5 U.S.C. 118k-2 (sec. 19, Hatch Act). July 19, 1940, ch. 640, § 4 "Sec. 19", 54 Stat. 772.
- (2), (3) 5 U.S.C. 118k(f) (sec. 12, Hatch Act). July 19, 1940, ch. 640, § 4 "Sec. 12(f)", 54 Stat. 770.
- (4) 5 U.S.C. 118k(a) (1st 41 words), (c) July 19, 1940, ch. 640, § 4 "Sec. 12(a) (1st 41 words)", (c)", 54 Stat. 767, 770.
- 5 U.S.C. 118k-1 (as applicable to 5 U.S.C. 118k) (sec. 21, Hatch Act). Oct. 24, 1942, ch. 620 "Sec. 21 (as applicable to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 56 Stat. 986.
- (5) 5 U.S.C. 118l (as applicable to 5 U.S.C. 118k) (sec. 15, Hatch Act). July 19, 1940, ch. 640, § 4 "Sec. 15 (as applicable to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 54 Stat. 771.

In paragraph (4) (B), the words "or by any Territory or Territorial possession of the United States" are omitted in view of the definition of "State" in paragraph (1).

In paragraph (5), the words "July 19, 1940" are substituted for "at the time this section takes effect".

Standard changes are made to conform with the definitions applicable.

5 U.S.C. 1503. NONPARTISAN POLITICAL ACTIVITY PERMITTED.

Section 1502(a)(3) of this title does not prohibit political activity in connection with—

(1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or

(2) a question which is not specifically identified with a National or State political party.

For the purpose of this section, questions relating to constitutional amendments, referendums, approval of

5 U.S.C. 1504. INVESTIGATIONS; NOTICE OF HEARING.

When a Federal agency charged with the duty of making a loan or grant of funds of the United States for use in an activity by a State or local officer or employee has reason to believe that the officer or employee has violated section 1502 of this title, it shall report the matter to the Civil Service Commission. On receipt of the report, or on receipt of other information which seems to the Commission to warrant an investigation, the Commission shall—

- (1) fix a time and place for a hearing; and
- (2) send, by registered or certified mail, to the officer or employee charged with the violation and to the State or local agency employing him a notice setting forth a summary of the alleged violation and giving the time and place of the hearing.

The hearing may not be held earlier than 10 days after the mailing of the notice.

SECTION 1502

- Derivation: United States Code Revised Statutes and Statutes at Large
- 5 U.S.C. 118k(a) (less 1st 41 words) July 19, 1940, ch. 640, § 4 "Sec. 12(a) (less 1st 41 words)", 54 Stat. 767.

In subsection (a), the term "State or local officer or employee", defined in section 1501, is substituted for the first 41 words of former section 118k(a). The words "any part of his salary or compensation" are omitted as included in "anything of value".

Standard changes are made to conform with the definitions applicable.

SECTION 1503

- Derivation: United States Code Revised Statutes and Statutes at Large
- 5 U.S.C. 118n (as applicable to 5 U.S.C. 118k(a)) July 19, 1940, ch. 640, § 4 "Sec. 18 (as applicable to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 54 Stat. 772.

Standard changes are made to conform with the definitions applicable.

SECTION 1504

- Derivation: United States Code Revised Statutes and Statutes at Large
- 5 U.S.C. 118k(b) (1st and 2d sentences, and 4th through 17th words of 3d sentence), 54 Stat. 768. June 11, 1960, Pub. L. 86-507, § 1(1), 74 Stat. 200.

Standard changes are made to conform with the definitions applicable.

5 U.S.C. 1505. HEARINGS; ADJUDICATIONS; NOTICE OF DETERMINATIONS.

of this title, and be heard. After this hearing, the Civil Service Commission shall—

- (1) determine whether a violation of section 1502 of this title has occurred;
- (2) determine whether the violation warrants the removal of the officer or employee from his office or employment; and
- (3) notify the officer or employee and the agency of the determination by registered or certified mail.

SECTION 1505

Derivation: United States Code
 5 U.S.C. 118k(b)
 (3d sentence, less 12(b) (3d sentence, less 4th through 17th words, and 4th sentence)", 54 Stat. 768.
 Hatch Act).
 June 11, 1960, Pub. L. 86-507, § 1(1), 74 Stat. 200.

Standard changes are made to conform with the definitions applicable.

SECTION 1506

Derivation: United States Code
 5 U.S.C. 118k(b)
 (less 1st 4 sentences)", 54 Stat. 768.
 Hatch Act).
 June 11, 1960, Pub. L. 86-507, § 1(1), 74 Stat. 200.

Standard changes are made to conform with the definitions applicable.

SECTION 1507

Derivation: United States Code
 5 U.S.C. 118k(d)
 (less 1st sentence) 12(d) (less 1st sentence)", 54 Stat. 769.
 Act).

In subsection (a), the word "affirmation" is omitted as included in "oath" on authority of section 1 of title 1, United States Code. The title of the court is changed to conform to title 28.

In subsection (c), the prohibition is restated in positive form. Standard changes are made to conform with the definitions applicable.

5 U.S.C. 1506. ORDERS; WITHHOLDING LOANS OR GRANTS; LIMITATIONS.

- (a) When the Civil Service Commission finds—
 - (1) that a State or local officer or employee has not been removed from his office or employment within 30 days after notice of a determination by the Commission that he has violated section 1502 of this title and that the violation warrants removal; or
 - (2) that the State or local officer or employee has been removed and has been appointed within 18 months after his removal to an office or employment in the same State in a State or local agency which does not receive loans or grants from a Federal

the Commission shall make and certify to the appropriate Federal agency an order requiring that agency to withhold from its loans or grants to the State or local agency to which notice was given an amount equal to 2 years' pay at the rate the officer or employee was receiving at the time of the violation. When the State or local agency to which appointment within 18 months after removal has been made is one that receives loans or grants from a Federal agency, the Commission order shall direct that the withholding be made from that State or local agency.

- (b) Notice of the order shall be sent by registered or certified mail to the State or local agency from which the amount is ordered to be withheld. After the order becomes final, the Federal agency to which the order is certified shall withhold the amount in accordance with the terms of the order. Except as provided by section 1508 of this title, a determination or order of the Commission becomes final at the end of 30 days after mailing the notice of the determination or order.

- (c) The Commission may not require an amount to be withheld from a loan or grant pledged by a State or local agency as security for its bonds or notes if the withholding of that amount would jeopardize the payment of the principal or interest on the bonds or notes.

5 U.S.C. 1507. SUBPENAS AND DEPOSITIONS.

- (a) The Civil Service Commission may require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter before it as a result of this chapter. Any member of the Commission may sign subpoenas, and members of the Commission and its examiners when authorized by the Commission may administer oaths, examine witnesses, and receive evidence. The attendance of witnesses and the production of documentary evidence may be required from any place in the United States at the designated place of hearing. In case of disobedience to a subpoena, the Commission may invoke the aid of a court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpoena issued to a person, the United States District Court within whose jurisdiction the inquiry is carried on may issue an order requiring him to appear before the Commission, or to produce documentary evidence if so ordered, or to give evidence concerning the matter in question; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

- (b) The Commission may order testimony to be taken by deposition at any stage of a proceeding or investigation.

Contribution to candidate or committee, etc., \$5,000 or more unlawful.

SEC. 608. (a) Whoever, directly or indirectly, makes contributions in an aggregate amount in excess of \$5,000 during any calendar year, or in connection with any campaign for nomination or election, to or on behalf of any candidate for an elective Federal office, including the offices of President of the United States and Presidential and Vice Presidential electors, or to or on behalf of any committee or other organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Penalty.

Contributions to or by State or local committees, etc., excepted.

This subsection shall not apply to contributions made to or by a State or local committee or other State or local organization or to similar committees or organizations in the District of Columbia or in any Territory or Possession of the United States.

Certain purchases of goods, advertising, etc., unlawful.

(b) Whoever purchases or buys any goods, commodities, advertising, or articles of any kind or description, the proceeds of which, or any portion thereof, directly or indirectly inures to the benefit of or for any candidate for an elective Federal office including the offices of President of the United States, and Presidential and Vice Presidential electors or any political committee or other political organization engaged in furthering, advancing, or advocating the nomination or election of any candidate for any such office or the success of any national political party, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Penalty.

Noninterference with candidate's business, etc. Violation by partnership, etc.

This subsection shall not interfere with the usual and known business, trade, or profession of any candidate. (c) In all cases of violations of this section by a partnership, committee, association, corporation, or other organization or group of persons, the officers, directors, or managing heads thereof who knowingly and willfully participate in such violation, shall be punished as herein provided.

Contribution defined.

(d) The term "contribution," as used in this section, shall have the same meaning prescribed by section 591 of this title.

CROSS REFERENCE

For definition of term "Contribution" see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

(Sec. 14). DISTRICT OF COLUMBIA EMPLOYEES DEEMED EMPLOYED IN EXECUTIVE BRANCH; EXCEPTION. (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 767, 771; 5 U.S.C., 1964 ed., sec. 118k-3.) (See sec. 9.)

(Sec. 15). ACTIVITIES PROHIBITED ON PART OF CIVIL-SERVICE EMPLOYEES AS PROHIBITED ON PART

(Sec. 16)²⁴ 5 U.S.C. (1966) § 7327. POLITICAL ACTIVITY PERMITTED; EMPLOYEES RESIDING IN CERTAIN MUNICIPALITIES. (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 767, 771; 5 U.S.C., 1964 ed., sec. 118m; September 6, 1966, Public Law 89-554, 80 Stat. 525, contained in recodification of title 5, United States Code, 5 U.S.C., sec. 7327).

(a) Section 7324(a) (2) of this title does not apply to an employee of The Alaska Railroad who resides in a municipality on the line of the railroad in respect to political activities involving that municipality.

(b) The Civil Service Commission may prescribe regulations permitting employees and individuals to whom section 7324 of this title applies to take an active part in political management and political campaigns involving the municipality or other political subdivision in which they reside, to the extent the Commission considers it to be in their domestic interest, when—

(1) the municipality or political subdivision is in Maryland or Virginia and in the immediate vicinity of the District of Columbia, or is a municipality in which the majority of voters are employed by the Government of the United States; and

(2) the Commission determines that because of special or unusual circumstances which exist in the municipality or political subdivision it is in the domestic interest of the employees and individuals to permit that political participation.

SECTION 7327

Derivation	United States Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 118i(a) (less 1st 4 sentences) (sec. 9, Hatch Act).	Aug. 8, 1946, ch. 904, 60 Stat. 937.
(b)	5 U.S.C. 118m (sec. 16, Hatch Act).	July 19, 1940, ch. 640, § 4 "Sec. 16", 54 Stat. 771.

Standard changes are made to conform with the definitions applicable.

Sec. [17]²⁵ STATE EMPLOYEES RUNNING FOR PUBLIC OFFICE; RESIGNATION UPON ELECTION. (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 767, 771; former 18 U.S.C., sec. 61g; now repealed (see note 25 below).)

²⁴ Sec. 16 was added July 19, 1940, and formerly appeared as sec. 61p of title 18, U.S.C., 1940 ed., but was excluded from title 18 and recommended for transfer to title 5 upon the revision and codification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., June 28, 1948, ch. 643, 62 Stat. 683. Sec. 16 appears as sec. 118m in title 5, U.S.C., 1948 ed.

²⁵ Former sec. 17 of the Hatch Act was repealed by Public Law 772, 80th Cong., 2d sess. The section was omitted in the enactment of the revised title 18, being temporarily and relating only to candidates who had been nominated prior to its enactment, July 19, 1940, by ch. 640, 54 Stat. 771. (See 80th Cong., 1st sess., H. Rept. No. 304 on H.R. 3190.)

enacted by Public Law No. 772, 88th Cong., 2d sess., superseding sec. 20, ch. 410, 53 Stat. 1147-1149, as added July 19, 1940, ch. 640, sec. 6, 54 Stat. 767, 772; former 2 U.S.C., sec. 252 and 18 U.S.C., sec. 61t.)

Sec. 609. No political committee shall receive contributions aggregating more than \$3,000,000, or make expenditures aggregating more than \$3,000,000 during any calendar year.

For the purposes of this section, any contributions received and any expenditures made on behalf of any political committee with the knowledge and consent of the chairman or treasurer of such committee shall be deemed to be received or made by such committee.

Any violation of this section by any political committee shall be deemed also to be a violation by the chairman and the treasurer of such committee and by any other person responsible for such violation and shall be punishable by a fine of not more than \$1,000 or imprisonment of not more than one year, or both; and if the violation was willful, by a fine of not more than \$10,000 or imprisonment of not more than two years, or both.

CROSS REFERENCE

For definitions of terms applicable to this section see, supra, section 591 of title 18, United States Code, following section 302 of the Corrupt Practices Act.

For duties as to contributions; accounts and receipts; statements; limitations upon expenditures see, supra, sections 303-309 of the Corrupt Practices Act.

(Sec. 21). **ACTIVITIES OF EMPLOYEES OF EDUCATIONAL AND RESEARCH INSTITUTIONS, ETC.** (Added October 24, 1942, ch. 620, 56 Stat. 986; 5 U.S.C., 1964 ed., sec. 118k-1.) (See secs. 9, 12.)

Sec. [22.] ²⁹ **POLITICAL ACTIVITY AFFECTING MEMBERS OF ARMED FORCES; EXCEPTIONS.** (Added April 1, 1944, ch. 150, Title V, sec. 501, 58 Stat. 136, 148, amended and made temporary August 21, 1944, ch. 404, secs. 1-2, 53 Stat. 727-728; formerly 18 U.S.C. 61v.)

Sec. [23.] ²⁹ **LIMITATION ON CENSORSHIP OF POLITICAL LITERATURE, ARGUMENTS, OR OTHER MATTER ADDRESSED TO MEMBERS OF ARMED FORCES.** (Added April 1, 1944, ch. 150, Title V, sec. 501, 58 Stat. 136, 149; made temporary August 21, 1944, ch. 404, sec. 2, 53 Stat. 727, 728; formerly 18 U.S.C. 61w.)

²⁹ Secs. 22 and 23 were added as part of section 501, Title V, the Federal Soldiers Voting Law of April 1, 1944. Sec. 22 appeared as sec. 61v of title 18, U.S.C., 1940 ed., Supp. V (1941-1946). Secs. 22 and 23 were made temporary on August 21, 1944, by sec. 25 (53 Stat. 728) and expired 6 months after termination of hostilities in World War II by Presidential Proclamation No. 2714, December 31, 1946.

Receipts and expenditures of political committees in excess of \$3,000,000 forbidden.

Violations.

Penalty.

(Sec. 18)²⁶ 5 U.S.C. (1966). § 7326. **NONPARTISAN POLITICAL ACTIVITY PERMITTED.** (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 767, 772; 5 U.S.C., 1964 ed., sec. 118n; September 6, 1966, Public Law 89-554, 80 Stat. 525, contained in recodification of title 5, United States Code, 5 U.S.C., sec. 7326.)

Section 7324(a)(2)²⁷ of this title does not prohibit political activity in connection with—

(1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or

(2) a question which is not specifically identified with a National or State political party or political party of a territory or possession of the United States.

For the purpose of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character, are deemed not specifically identified with a National or State political party or political party of a territory or possession of the United States.

SECTION 7326

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 118n (less applicability to 5 U.S.C. 118k(a))	July 19, 1940, ch. 640, § 4 "Sec. 18 (less applicability to § 12 of the Act of Aug. 2, 1939; added July 19, 1940, ch. 640, § 4, 54 Stat. 767)", 54 Stat. 772. Act).

The words "or political party of a territory or possession of the United States" are added on authority of former section 118k-2, which is carried into section 1501.

Standard changes are made to conform with the definitions applicable.

(Sec. 19). **DEFINITION OF TERM "STATE"**. (Added July 19, 1940, ch. 640, sec. 4, 54 Stat. 771; 5 U.S.C., 1964 ed., sec. 118k-2.) (See sec. 12.)

Sec. [20.] ²⁸ **609. MAXIMUM CONTRIBUTIONS TO, AND EXPENDITURES BY, POLITICAL COMMITTEES, PENALTIES.** (Title 18 U.S.C., 1964 ed., sec. 609, as

²⁶ Sec. 18 was added July 19, 1940, and formerly appeared as sec. 61r of title 18, U.S.C., 1940 ed., but was excluded from title 18, and recommended for transfer to title 5 upon the revision and recodification of title 18 by Public Law 772 (H.R. 3190), 80th Cong., 2d sess., July 22, 1948, ch. 645, 62 Stat. 683. Sec. 18 formerly appeared as sec. 118n in title 5, U.S.C., 1958 ed.

²⁷ Sec. (sec. 9), p. 20.
²⁸ Sec. 609 is based on former sec. 20 of the Hatch Act and sec. 314 of the Corrupt Practices Act, the punishment provisions of sec. 314 being incorporated at the end of the section upon authority of reference to them contained in the Corrupt Practices Act. Terms used in this section (sec. 20) shall have the meaning assigned them in sec. 302 of the Federal Criminal Statutes Act, 1909, and the penalties provided in such Act shall apply to violations.

Sec. [24.]³⁰ **PENALTY FOR VIOLATION OF SECTIONS 22 OR 23.** (Added April 1, 1944, ch. 150, Title V, sec. 501, 58 Stat. 136, 149; formerly 18 U.S.C. 61x.)

Sec. [25.]³¹ **EXPIRATION DATE OF SECTIONS 22 AND 23.** (Added August 21, 1944, ch. 404, sec. 2, 53 Stat. 727, 728.)

³⁰ Sec. 24 was added along with secs. 22 and 23 and contained the penalty provisions for violation of those sections. Sec. 24 was repealed with secs. 22 and 23.

³¹ Sec. 25 was added August 21, 1944, fixing the termination date for secs. 22 and 23 upon the expiration of 6 months after end of hostilities as proclaimed. Sec. 25 expired with secs. 22-24.

CORRUPT PRACTICES AND POLITICAL ACTIVITIES

ADDITIONAL PROVISIONS RECODIFIED IN 5 UNITED STATES CODE (1966)

§ 7321. POLITICAL CONTRIBUTIONS AND SERVICES.

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service is not obliged, by reason of that employment, to contribute to a political fund or to render political service, and that he may not be removed or otherwise prejudiced for refusal to do so.

§ 7322. POLITICAL USE OF AUTHORITY OR INFLUENCE; PROHIBITION.

The President may prescribe rules which shall provide, as nearly as conditions of good administration warrant, that an employee in an Executive agency or in the competitive service may not use his official authority or influence to coerce the political action of a person or body.

§ 7323. POLITICAL CONTRIBUTIONS; PROHIBITION.

An employee in an Executive agency (except one appointed by the President, by and with the advice and consent of the Senate) may not request or receive from, or give to, an employee, a Member of Congress, or an officer of a uniformed service a thing of value for political purposes. An employee who violates this section shall be removed from the service.

SECTION 7321

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 633(2)5.	Jan. 16, 1883, ch. 27, § 2(2)5, 22 Stat. 404.

The authority of the President to prescribe rules is added on authority of former section 633(1), which is carried into section 3302 of this title.

The words "employee in an Executive agency or in the competitive service" are substituted for "person in the public service" for clarity.

Standard changes are made to conform with the definitions applicable.

SECTION 7322

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 633(2)6 (1st sentence).	Jan. 16, 1883, ch. 27, § 2(2)6, 22 Stat. 404.

The authority of the President to prescribe rules is added on authority of former section 633(1), which is carried into section

The words "employee in an Executive agency or in the competitive service" are substituted for "person in said service" for clarity.
Standard changes are made to conform with the definitions applicable.

SECTION 7323

Derivation: United States Code Revised Statutes and Statutes at Large
5 U.S.C. 1180. Aug. 15, 1876, ch. 287, § 6, 19 Stat. 169.

The words "An employee of an Executive agency (except one appointed by the President, by and with the advice and consent of the Senate)" are substituted for "Any executive officer or employee of the United States not appointed by the President, with the advice and consent of the Senate," because of the definitions in sections 105 and 2105. The words "an employee, a Member of Congress, or an officer of a uniformed service" are substituted for "any other officer or employee of the Government." In the last sentence, the word "removed" is substituted for "at once discharged," because of the provision of the Lloyd-La Follette Act, 37 Stat. 555, as amended, and the Veterans' Preference Act of 1944, 58 Stat. 387, as amended, which are carried into this title. The criminal penalty appearing in the last 25 words of section 6 of the Act of Aug. 15, 1876, is omitted as superseded by sections 602 and 607 of title 18.
Standard changes are made to conform with the definitions applicable.

2.—THE HATCH POLITICAL ACTIVITIES ACT, WITH AMENDMENTS, INCLUDING CHANGES AS EFFECTED BY PUBLIC LAW 772 (H.R. 3190), 80TH CONG., 2D SESS., JUNE 25, 1948, AN ACT TO REVISE, CODIFY, AND ENACT INTO POSITIVE LAW TITLE 18 OF THE UNITED STATES CODE, ENTITLED "CRIMES AND CRIMINAL PROCEDURE"

Hatch Act sections	Date of enactment, amendment, or codification	United States Statutes at Large citation				Former United States Code citation	Effect of revision on section	Disposition of section by Public Law 772 and appearance in United States Code 1964 edition.
		Chapter	Section	Volume	Page			
.....	Aug. 2, 1939	410	1	53	1147	Title 18, sec. 61	Repealed	18 U.S.C. 594 (new).
ended.....	do.	410	2	53	1147	.....	.....	.....
ended.....	July 19, 1940	640	1	54	767	Title 18, sec. 61 a, g, n, s, v.	Repealed	18 U.S.C. 595 (new).
.....	Aug. 2, 1939	410	3	53	1147	Title 18, sec. 61 b, g.	do.	18 U.S.C. 600 (new).
.....	do.	410	4	53	1147	Title 18, sec. 61 c, g.	do.	18 U.S.C. 601 (new).
.....	do.	410	5	53	1148	Title 18, sec. 61 d, g.	do.	18 U.S.C. 604 (new).
.....	do.	410	6	53	1148	Title 18, sec. 61 e, g.	do.	18 U.S.C. 605 (new).
.....	do.	410	7	53	1148	Title 18, sec. 61 f, g.	do.	18 U.S.C. 598 (new).
.....	do.	410	8	53	1148	Title 18, sec. 61 g.	do.	18 U.C. 594, 595, 598, 600, 601, 604, 605 (new).
.....	do.	410	9	53	1148	.....	.....	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as sec. 1181.
ended.....	July 19, 1940	640	2	54	767	Title 18, sec. 61h	No change	.....
Do.....	Mar. 27, 1942	199	1701	56	181	Title 50 (appendix), sec. 645	.....	.....
Do.....	Aug. 8, 1946	904	.....	60	937	Title 18, sec. 61h	.....	.....
Do.....	Aug. 25, 1950	984	1	64	475	Title 5, sec. 1181	.....	.....
Do.....	Oct. 5, 1962	Public Law 87-753	.....	76	750	Title 5, sec. 1181 (subsec. (b))	.....	.....
codified.....	Sept. 6, 1966	Public Law 89-554	7324	80	525	Title 5, sec. 1181 (subsec. (a), (b)).	Recodified as 6 U.S.C. 7324, 7325.	.....
.....	Aug. 2, 1939	410	9A	53	1148	Title 18, sec. 61j	No change	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as secs. 118p-118r.
codified.....	Sept. 6, 1966	Public Law 89-554	7311	80	524	Titles 5, secs 424 118p-118r.	Recodified as 5 U.S.C. 7311, 3333, and 18 U.S.C. 1918	.....
.....	Aug. 2, 1939	410	10	53	1149	.....	.....	.....
ended.....	July 19, 1940	640	3	54	767	Title 18, sec. 61j	Repealed	Omitted as unnecessary.
.....	Aug. 2, 1939	410	11	53	1149	Title 18, sec. 61k	do.	Do.
added.....	July 19, 1940	640	4	54	767	Title 18, sec. 61	No change	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as sec. 118k, 1964 edition, and Supp. I.
ended.....	June 25, 1948	646	32(a)	62	991	.....	.....	.....
Do.....	May 24, 1949	139	127	63	107	.....	.....	.....
Do.....	June 11, 1960	Public Law 86-507	1(1)	74	200	.....	.....	.....

THE HATCH POLITICAL ACTIVITIES ACT, WITH AMENDMENTS, INCLUDING CHANGES AS EFFECTED BY PUBLIC LAW 772 (H.R. 3190), 80TH CONG., 2D SESS., JUNE 25, 1948, AN ACT TO REVISE, CODIFY, AND ENACT INTO POSITIVE LAW TITLE 18 OF THE UNITED STATES CODE, ENTITLED "CRIMES AND CRIMINAL PROCEDURE"—Continued

Hatch Act sections	Date of enactment, amendment, or codification	United States Statutes at Large citation				Former United States Code citation	Effect of revision on section	Disposition of section by Public Law 772 and appearance in United States Code, 1964 edition.
		Chapter	Section	Volume	Page			
added.....	Sept. 6, 1966	Public Law 89-554	1501	80	403-4	Title 5, sec. 118k.....	Recodified as 5 U.S.C. 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508.	
			1502	80	404	do.....		
			1503	80	404	do.....		
			1504	80	405	do.....		
			1505	80	405	do.....		
			1506	80	405	do.....		
			1507	80	406	do.....		
			1508	80	406-407	do.....		
added.....	July 19, 1940	640	4	54	767	Title 18, sec. 61m.....	Repealed.....	18 U.S.C., sec. 608 (new). Section not amended, but excluded from (new) title 18, later omitted from 1952 edition of United States Code but has been transferred to title 5 where it appeared as sec. 118k-3.
added.....	do.....	640	4	54	767	Title 18, sec. 61n.....	No change.....	
repealed.....	Sept. 6, 1966	Public Law 89-554	7,324	80	525	Title 5, sec. 118k(3).....	Recodified as 5 U.S.C. 7324.	
			4	54	767	Title 18, sec. 61o.....	No change.....	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appears as sec. 118l.
added.....	July 19, 1940	640						
repealed.....	Sept. 6, 1966	Public Law 89-554	7324	80	525	Title 5, sec. 118l.....	Recodified as 5 U.S.C. 7324, 1501.	
			1501	80	404	do.....		
added.....	July 19, 1940	640	4	54	767	Title 18, sec. 61p.....	No change.....	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as sec. 118m.
repealed.....	Sept. 6, 1966	Public Law 89-554	7327	80	526	Title 5, sec. 118m.....	Recodified as 5 U.S.C. 7327.	
added.....	July 19, 1940	640	4	54	767	Title 18, sec. 61q.....	Repealed.....	Omitted, being temporary.
added.....	do.....	640	4	54	767	Title 18, sec. 61r.....	No change.....	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as sec. 118n.
repealed.....	Sept. 6, 1966	Public Law 89-554	7326	80	526	Title 5, sec. 118n.....	Recodified as 5 U.S.C. 7326, 1503.	
			1503		404			
added.....	July 19, 1940	640	4	54	771	Title 18, sec. 61s.....	No change.....	Section not amended, but excluded from title 18, and subsequently transferred to title 5, where it appeared as sec. 118k-2.
codified.....	Sept. 6, 1966	Public Law 89-554	1501	80	403	Title 5, sec. k-2.....	Recodified as 5 U.S.C. 1501.	
added.....	July 19, 1940	640	6	54	772	Title 18, sec. 61t.....	No change.....	18 U.S.C., sec. 609 (new).
added.....	Oct. 24, 1942	620		56	996	Title 18, sec. 61u.....	do.....	Section not amended, but excluded from (new) title 18 and subsequently transferred to title 5 where it appeared as sec. 118k-1.
codified.....	Sept. 6, 1966	Public Law 89-554	7324	80	525	Title 5, sec. 118k-1.....	Recodified as 5 U.S.C. 7324, 1501.	
			1501	80	404	do.....		
added.....	Apr. 1, 1944	150		58	148-149	Title 8, sec. 61v.....		Made temporary by sec. 25 and expired 6 months after termination of hostilities in World War II by Presidential Proclamation No. 2714, Dec. 31, 1946.
repealed.....	Aug. 21, 1944	404	1	58	727-728	do.....		Do.
added.....	Apr. 1, 1944	148		58	149	Title 18, sec. 61w.....		Became unnecessary and expired with secs. 22 and 23.
added.....	do.....	148		58	149	Title 18, sec. 61x.....		
added.....	Aug. 21, 1944	404	2	58	728	do.....		Temporary and expired with secs. 22 and 23.

le VII.
15 of the Hatch Act incorporated by reference certain civil service rules which were in effect as of July 19, 1940. For text of these rules see Executive orders of the President and Civil Service Commission, Form 1236, January 1944, and Pamphlet 20, May 1966.

MISCELLANEOUS RELATED ACTS

AN ACT PROHIBITING THE PUBLICATION AND DISTRIBUTION OF ELECTION CAMPAIGN STATEMENTS NOT CONTAINING THE NAMES OF PERSONS RESPONSIBLE THEREFOR

[Public Law 544, 78th Cong., December 23, 1944, ch. 706, sec. 1-3, 58 Stat. 914; repealed, revised, and reenacted into positive law as sec. 612 of title 18, U.S.C., by Public Law 772, 80th Cong., June 25, 1948; amended by Public Law 732, 81st Cong., August 25, 1950, ch. 784, sec. 2, 64 Stat. 475]

Sec. [1, 2, 3.]²² 612. PUBLICATION OR DISTRIBUTION OF POLITICAL CIRCULARS, ADVERTISEMENTS, STATEMENTS, ETC.; INCLUSION OF NAMES OF PERSONS OR CORPORATIONS RESPONSIBLE; PENALTY. (Title 18, U.S.C., 1964 ed., sec. 612, as enacted by Public Law 772, 80th Cong., 2d sess., superseding secs. 1-3, ch. 706, 58 Stat. 914, 915, and 18 U.S.C., secs. 62, 62a, 62b; amended by Public Law 732, 81st Cong., August 25, 1950, ch. 784, sec. 2, 64 Stat. 475.)

Sec. 612. Publication or distribution of political statements.

Whoever willfully publishes or distributes or causes to be published or distributed, or for the purpose of publishing or distributing the same, knowingly deposits for mailing or delivery or causes to be deposited for mailing or delivery, or, except in cases of employees of the Post Office Department in the official discharge of their duties, knowingly transports or causes to be transported in interstate commerce any card, pamphlet, circular, poster, dodger, advertisement, writing, or other statement relating to or concerning any person who has publicly declared his intention to seek the office of President, or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, Congress, in a primary, general, or special election, or convention of a political party, or has caused or permitted his intention to do so to be publicly declared, which does not contain the names of the persons, associations, committees, or corporations responsible for the publication or distribution of the same, and the names of the officers of each such association, committee, or corporation, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Political circulars, advertisements, etc.

Convention, primary, or election.

Must contain name of person responsible.

²² Sec. 612 of title 18, U.S.C., is quoted in the text above as enacted by Public Law 772, 80th Cong., 2d sess., as amended by Public Law 732, 81st Cong., 2d sess. The section is based on secs. 1-3, ch. 706, 58 Stat. 914, 915 (18 U.S.C., 1940 ed., secs. 62, 62a, 62b), and consolidates the three sections. Reference in sec. 2 (sec. 62a) to persons who are abetting was omitted in the revision of title 18, as unnecessary. The persons are abetting which were

AN ACT PROHIBITING THE EMPLOYMENT BY THE GOVERNMENT OF THE UNITED STATES OF PERSONS WHO ARE DISLOYAL OR WHO PARTICIPATE IN OR ASSERT THE RIGHT TO STRIKE AGAINST THE GOVERNMENT OF THE UNITED STATES

[Public Law 330, 84th Cong., August 9, 1955, ch. 690, secs. 1-4, 69 Stat. 624-625; 5 U.S.C., 1964 ed., secs. 118p-118r; June 29, 1956, ch. 479, § 3 (as applicable to the Act of Aug. 9, 1955, ch. 690, § 3, 69 Stat. 625), 70 Stat. 453; September 6, 1968, Public Law 89-554, 80 Stat. 525, contained in recodification of title 5, United States Code, 5 U.S.C., secs. 7311, 3333, and in 18 U.S.C., sec. 1918]

5 U.S.C. 7311. LOYALTY AND STRIKING.

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

- (1) advocates the overthrow of our constitutional form of government;
- (2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;
- (3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or
- (4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

5 U.S.C. 3333. EMPLOYEE AFFIDAVIT; LOYALTY AND STRIKING AGAINST THE GOVERNMENT.

(a) Except as provided by subsection (b) of this section, an individual who accepts office or employment in the Government of the United States or in the government of the District of Columbia shall execute an affidavit within 60 days after accepting the office or employment that his acceptance and holding of the office or employment does not or will not violate section 7311 of this title. The affidavit is prima facie evidence that the acceptance and holding of office or employment by the affiant does not or will not violate section 7311 of this title.

(b) An affidavit is not required from an individual employed by the Government of the United States or the government of the District of Columbia for less than 60 days for sudden emergency work involving the loss of human life or the destruction of property. This subsection

CONTRIBUTIONS BY OR SOLICITATION FROM PERSONS OR FIRMS NEGOTIATING FOR OR PERFORMING GOVERNMENT CONTRACTS

[Public Law No. 753, 76th Cong., July 19, 1940, ch. 640, sec. 5, 54 Stat. 772; repealed, revised, and reenacted into positive law as sec. 611 of title 18, U.S.C., by Public Law 772, 80th Cong., June 25, 1948]

Sec. [5.]³³ 611. CONTRIBUTIONS BY FIRMS OR INDIVIDUALS CONTRACTING WITH THE UNITED STATES; PENALTY. (Title 18, U.S.C., 1964 ed., sec. 611, as enacted into positive law by Public Law 772, 80th Cong., 2d sess.)

Sec. 611. Whoever, entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof, or selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, during the period of negotiation for, or performance under such contract or furnishing of material, supplies, equipment, land, or buildings, directly or indirectly makes any contribution of money or any other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

Whoever knowingly solicits any such contribution from any such person or firm, for any such purpose during any such period—

Shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Contributions by persons or firms having United States contracts forbidden.

Solicitations forbidden.

Penalty.

³³ This law [sec. 5] was originally enacted as Sec. 5 of the act of July 19, 1940, amending the Hatch Act but is not considered a part of what is commonly referred to as the Hatch Act.
Sec. 611 of the title 18, U.S.C., is quoted in the text above as enacted by Public Law 772, 80th Cong., 2d sess. The new section 611 is based on former sec. 5, ch. 640, 54 Stat. 772 (18 U.S.C., sec. 611) and is repealed. Words "upon conviction thereof" before "he fined" were omitted and the punishment may not be imposed before a conviction is secured. Words "and he" were added to conform to the almost universal form of the punishment provisions of title 18. A saving clause at the end of the new sec. 611 was omitted as unnecessary. Changes were made in phraseology. (See 80th Cong., 1st sess., H. Rept. No. 394 on H.R. 3190.)

18 U.S.C. 1918. DISLOYALTY AND ASSERTING THE RIGHT TO STRIKE AGAINST THE GOVERNMENT.

Whoever violates the provision of section 7311 of title 5 that an individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

(1) advocates the overthrow of our constitutional form of government;

(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

(3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

(4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia;

shall be fined not more than \$1,000 or imprisoned not more than one year and a day, or both. Added Public Law 89-554, § 3 (d), Sept. 6, 1966, 80 Stat. 609.

SECTION 7311

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 118p	Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624.
	[Uncodified]	June 29, 1956, ch. 479, § 3, (as applicable to the Act of Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624), 70 Stat. 453.

The word "position" is coextensive with and is substituted for "office or employment". In paragraphs (1) and (2), the words "in the United States" in former section 118p(1), (2) are omitted as unnecessary in view of the reference to "our constitutional form of government".

In paragraphs (3) and (4), the reference to the "government of the District of Columbia" is added on authority of the Act of June 29, 1956, in order to make these paragraphs meaningful with respect to individuals employed by the government of the District of Columbia. The words "From and after July 1, 1956", appearing in the Act of June 29, 1956, are omitted as executed.

Standard changes are made to conform with the definitions applicable.

SECTION 3333

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 118q	Aug. 9, 1955, ch. 690, § 2, 69 Stat. 624.
	[Uncodified]	June 29, 1956, ch. 479, § 3 (as applicable to the Act of Aug. 9, 1955, ch. 690, § 2, 69 Stat. 624), 70 Stat. 453.

The section is restated for clarity and to conform to the style of section 3332.

In subsection (a), the words "after August 9, 1955" are omitted as executed. The words "if the affidavit is executed prior to acceptance of such office or employment" are omitted as unnecessary. The words "From and after July 1, 1956", appearing in the Act of June 29, 1956, are omitted as executed.

Standard changes are made to conform with the definitions applicable.

18 U.S.C. § 1918

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 118r	Aug. 9, 1955, ch. 690, § 3, 69 Stat. 625.
	[Uncodified]	June 29, 1956, ch. 479, § 3 (as applicable to the Act of Aug. 9, 1955, ch. 690, § 3, 69 Stat. 625), 70 Stat. 453.

The section is rewritten to conform to the style of title 18. The statement of the acts prohibited is supplied from the Act of Aug. 9, 1955, ch. 690, § 1, 69 Stat. 624, which is codified in section 7311 of title 5, United States Code.

The words "From and after July 1, 1956", appearing in the Act of June 29, 1956, are omitted as executed.

The words "shall be guilty of a felony" are omitted as unnecessary in view of the definitive section 1 of this title.

STANDARD FORM 61
 UNITED STATES GOVERNMENT
 U.S. CIVIL SERVICE COMMISSION
 FPM, CHAPTER 295
 50102

APPOINTMENT AFFIDAVITS

IMPORTANT.—Before swearing or affirming to these appointment affidavits, you should read and understand the attached information for appointees

(Position to which appointed) _____ (Date of appointment) _____
 (Department or agency) _____ (Bureau or division) _____ (Place of employment) _____

I, _____, do solemnly swear (or affirm) that—

A. OATH OF OFFICE
 I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. SO HELP ME GOD.

B. AFFIDAVIT AS TO SUBVERSIVE ACTIVITY AND AFFILIATION
 I am not a Communist or Fascist. I do not advocate nor am I knowingly a member of any organization that advocates the overthrow of the constitutional form of the Government of the United States, or which seeks by force or violence to deny other persons their rights under the Constitution of the United States. I do further swear (or affirm) that I will not so advocate, nor will I knowingly become a member of such organization during the period that I am an employee of the Federal Government or any agency thereof.

C. AFFIDAVIT AS TO STRIKING AGAINST THE FEDERAL GOVERNMENT
 I am not participating in any strike against the Government of the United States or any agency thereof, and I will not so participate while an employee of the Government of the United States or any agency thereof. I do not and will not assert the right to strike against the Government of the United States or any agency thereof while an employee of the Government of the United States or any agency thereof. I do further swear (or affirm) that I am not knowingly a member of an organization of Government employees that asserts the right to strike against the Government of the United States or any agency thereof and I will not, while an employee of the Government of the United States or any agency thereof, become a member of such an organization.

D. AFFIDAVIT AS TO PURCHASE AND SALE OF OFFICE
 I have not, nor has anyone acting in my behalf, given, transferred, promised or paid any consideration for or in expectation or hope of receiving assistance in securing this appointment.

(Signature of appointee)

Subscribed and sworn (or affirmed) before me this _____ day of _____ A.D. 19____
 at _____ (City) _____ (State)

[SEAL]

(Signature of officer)

Commission expires _____ (Date of expiration)
 (If by a Notary Public, the date of expiration must be stated.)

Note.—This oath of office must be administered by a person specified in 5 U.S.C. § 2001. The words "SO HELP ME GOD" in this oath and the word "swear" wherever it appears above should be stricken out when the appointee elects to affirm rather than swear to the affidavits; only these words may be stricken and only when the appointee elects to affirm the affidavits.

U.S. GOVERNMENT PRINTING OFFICE: 1947 O-387-048

FEDERAL LOYALTY AND SECURITY OATHS REQUIRED IN EXECUTIVE DEPARTMENTS AND ALL FEDERAL OFFICES

Citation.—R.S. § 1757, as amended by Act of May 13, 1884 (23 Stat. 22, c. 46 §§ 2, 3); 5 U.S.C. § 16; as recodified, 80 Stat. 424; 5 U.S.C. § 3331.

Oath required—form.—The oath to be taken by any person elected or appointed to any office of honor or profit either in the civil or uniformed services, except President of the United States shall be as follows:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

This section does not affect other oaths required by law.

Custody of oath.—The oath of office taken by an individual under section 3331 of this title [5 U.S.C.], shall be delivered by him to, and preserved by, the House of Congress, agency, or court to which the office pertains (5 U.S.C. § 2906).

COMMUNIST CONTROL ACT OF 1954: MEMBERSHIP IN COMMUNIST PARTY; LIABILITY TO PENALTIES OF INTERNAL SECURITY ACT OF 1950

[Public Law 637, 83d Cong., August 24, 1954, ch. 886, secs. 1-5, 68 Stat. 775-776,
50 U.S. Code, 1964 ed., secs. 841-844]

Communist
Control Act
of 1954.

SEC. 1. This Act may be cited as the "Communist
Control Act of 1954".

FINDINGS OF FACT

50 U.S. Code,
sec. 841.

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to run by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile

It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.

PROSCRIBED ORGANIZATIONS

SEC. 3. The Communist Party of the United States, or any successors of such party regardless of the assumed name, whose object or purpose is to overthrow the Government of the United States, or the government of any State, Territory, District, or possession thereof or the government of any political subdivision therein by force and violence, are not entitled to any of the rights, privileges, and immunities attendant upon legal bodies created under the jurisdiction of the laws of the United States or any political subdivision thereof; and whatever rights, privileges, and immunities which have heretofore been granted to said party or any subsidiary organization by reason of the laws of the United States or any political subdivision thereof, are hereby terminated: *Provided, however*, That nothing in this section shall be construed as amending the Internal Security Act of 1950, as amended.

50 U.S. Code,
sec. 842.

Unlawful act.

SEC. 4. (a) Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall be subject to all the provisions and penalties of the Internal Security Act of 1950, as amended, as a member of a "Communist-action" organization.

50 U.S. Code,
sec. 843.

Definition.

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

Evidence for
determination.

SEC. 5. In determining membership or participation in the Communist Party or any other organization defined in this Act, or knowledge of the purpose or objective of such party or organization, the jury, under instructions from the court, shall consider evidence, if presented, as to whether the accused person:

50 U.S. Code,
sec. 844.

(1) Has been listed to his knowledge as a member in any book or any of the lists, records, correspondence, or any other document of the organization:

(3) Has made himself subject to the discipline of the organization in any form whatsoever;

(4) Has executed orders, plans, or directives of any kind of the organization;

(5) Has acted as an agent, courier, messenger, correspondent, organizer, or in any other capacity in behalf of the organization;

(6) Has conferred with officers or other members of the organization in behalf of any plan or enterprise of the organization;

(7) Has been accepted to his knowledge as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization;

(8) Has written, spoken or in any other way communicated by signal, semaphore, sign, or in any other form of communication orders, directives, or plans of the organization;

(9) Has prepared documents, pamphlets, leaflets, books, or any other type of publication in behalf of the objectives and purposes of the organization;

(10) Has mailed, shipped, circulated, distributed, delivered, or in any other way sent or delivered to others material or propaganda of any kind in behalf of the organization;

(11) Has advised, counseled or in any other way imparted information, suggestions, recommendations to officers or members of the organization or to anyone else in behalf of the objectives of the organization;

(12) Has indicated by word, action, conduct, writing or in any other way a willingness to carry out in any manner and to any degree the plans, designs, objectives, or purposes of the organization;

(13) Has in any other way participated in the activities, planning, actions, objectives, or purposes of the organization;

(14) The enumeration of the above subjects of evidence on membership or participation in the Communist Party or any other organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

PERTINENT STANDING RULES OF THE SENATE

RULE XLII¹

CONTRIBUTIONS

1. A Senator or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator, may accept a contribution from—

(a) a fundraising event organized and held primarily in his behalf, provided—

(1) he has expressly given his approval of the fundraising event to the sponsors before any funds were raised; and

(2) he receives a complete and accurate accounting of the source, amounts, and disposition of the funds raised; or

(b) an individual or an organization, provided the Senator makes a complete and accurate accounting of the source, amount, and disposition of the funds received; or

(c) his political party when such contributions were from a fundraising event sponsored by his party, without giving his express approval for such fundraising event when such fundraising event is for the purpose of providing contributions for the candidates of his party and such contributions are reported by the Senator or candidate for Senator as provided in paragraph (b).

2. The Senator may use the contribution only to influence his nomination for election, or his election, and shall not use, directly or indirectly, any part of any contribution for any other purpose, except as otherwise provided herein.

3. Nothing in this rule shall preclude the use of contributions to defray expenses for travel to and from each Senator's home State; for printing and other expenses in connection with the mailing of speeches, newsletters, and reports to a Senator's constituents; for expenses of radio, television, and news media methods of reporting to a Senator's constituents; for telephone, telegraph, postage, and stationery expenses in excess of allowance; and for newspaper subscriptions from his home State.

4. All gifts in the aggregate amount or value of \$50 or more received by a Senator from any single source during a year, except a gift from his spouse, child, or parent, and except a contribution under sections 1 and 2, shall be reported under rule XLIV.

5. This rule shall take effect ninety days after adoption.

¹S. Jour. 247, 90-2, Mar. 22, 1968.

RULE XLIII¹

POLITICAL FUND ACTIVITY BY OFFICERS AND EMPLOYEES

1. No officer or employee whose salary is paid by the Senate may receive, solicit, be the custodian of, or distribute any funds in connection with any campaign for the nomination for election, or the election of any individual to be a Member of the Senate or to any other Federal office. This prohibition does not apply to any assistant to a Senator who has been designated by that Senator to perform any of the functions described in the first sentence of this paragraph and who is compensated at a rate in excess of \$10,000 per annum if such designation has been made in writing and filed with the Secretary of the Senate. The Secretary of the Senate shall make the designation available for public inspection.

2. This rule shall take effect sixty days after adoption.

RULE XLIV¹

DISCLOSURE OF FINANCIAL INTERESTS

1. Each Senator or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator, and each officer or employee of the Senate who is compensated at a rate in excess of \$15,000 a year, shall file with the Comptroller General of the United States, in a sealed envelope marked "Confidential Personal Financial Disclosure of _____ (Name) _____", before the 15th day of _____

May in each year, the following reports of his personal financial interests:

- (a) a copy of the returns of taxes, declarations, statements, or other documents which he, or he and his spouse jointly, made for the preceding year in compliance with the income tax provisions of the Internal Revenue Code;
- (b) the amount or value and source of each fee or compensation of \$1,000 or more received by him during the preceding year from a client;
- (c) the name and address of each business or professional corporation, firm, or enterprise in which he was an officer, director, partner, proprietor, or employee who received compensation during the preceding year and the amount of such compensation;
- (d) the identity of each interest in real or personal property having a value of \$10,000 or more which he owned at any time during the preceding year;
- (e) the identity of each trust or other fiduciary relation in which he held a beneficial interest having a value of \$10,000 or more, and the identity if known of each interest of the trust or other _____ the Senator

\$10,000 or more, at any time during the preceding year. If he cannot obtain the identity of the fiduciary interests, the Senator, officer, or employee shall request the fiduciary to report that information to the Comptroller General in the same manner that reports are filed under this rule;

(f) the identity of each liability of \$5,000 or more owned by him, or by him and his spouse jointly, at any time during the preceding year; and

(g) the source and value of all gifts in the aggregate amount or value of \$50 or more from any single source received by him during the preceding year.

2. Except as otherwise provided by this section, all papers filed under section 1 of this rule shall be kept by the Comptroller General for not less than seven years, and while so kept shall remain sealed. Upon receipt of a resolution of the Select Committee on Standards and Conduct, adopted by a recorded majority vote of the full committee, requesting the transmission to the committee of any of the reports filed by any individual under section 1 of this rule, the Comptroller General shall transmit to the committee the envelopes containing such reports. Within a reasonable time after such recorded vote has been taken, the individual concerned shall be informed of the vote to examine and audit, and shall be advised of the nature and scope of such examination. When any sealed envelope containing any such report is received by the committee, such envelope may be opened and the contents thereof may be examined only by members of the committee in executive session. If, upon such examination, the committee determines that further consideration by the committee is warranted and is within the jurisdiction of the committee, it may make the contents of any such envelope available for any use by any member of the committee, or any member of the staff of the committee, which is required for the discharge of his official duties. The committee may receive the papers as evidence, after giving to the individual concerned due notice and opportunity for hearing in a closed session. The Comptroller General shall report to the Select Committee on Standards and Conduct not later than the 1st day of June in each year the names of Senators, officers, and employees who have filed a report. Any paper which has been filed with the Comptroller General for longer than seven years, in accordance with the provisions of this section, shall be returned to the individual concerned or his legal representative. In the event of the death or termination of service of a Member of the Senate, an officer or employee, such papers shall be returned unopened to such individual, or to the surviving spouse or legal representative of such individual within one year of such death or termination of service.

3. Each Senator or person who has declared or otherwise made known his intention to seek nomination or election, or who has filed papers or petitions for nomination or election, or on whose behalf a declaration or nominating paper or petition has been made or filed, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election, pursuant to State law, to the office of United States Senator, and each officer or employee of the Senate who is compensated at a rate in excess of \$15,000 a year, shall file with the Secretary of the Senate, before the 15th day of May in each year, the _____

tions in the aggregate amount or value of less than \$50 received from any single source during the reporting period may be totaled without further itemization; and

(b) the amount or value and source of each honorarium of \$300 or more received by him during the preceding year.

4. All papers filed under section 3 of this rule shall be kept by the Secretary of the Senate for not less than three years and shall be made available promptly for public inspection and copying.

5. This rule shall take effect on July 1, 1968. No reports shall be filed for any period before office or employment was held with the Senate, or during a period of office or employment with the Senate of less than ninety days in a year; except that the Senator, or officer or employee of the Senate, may file a copy of the return of taxes for the year 1968, or a report of substantially equivalent information for only the effective part of the year 1968.

CIVIL SERVICE COMMISSION REGULATIONS POLITICAL ACTIVITY OF FEDERAL OFFICERS AND EMPLOYEES ³⁴

I. GENERAL PROHIBITIONS AND EXCEPTIONS

The broadest and most widely applicable restrictions on political activity of Federal officers and employees are contained in section 4.1 of Civil Service Rule IV and in section 9(a) ³⁵ of the Hatch Act. In practically the same words, these provisions prohibit the following:

- (1) Using official authority or influence for the purpose of interfering with an election or affecting its results.
- (2) Taking an active part in political management or in political campaigns.

CIVIL SERVICE RULE IV

Section 4.1 of Civil Service Rule IV reads as follows:

Prohibitions against political activity.—No person employed in the executive branch of the Federal Government, or any agency or department thereof, shall use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No person occupying a position in the competitive service shall take an active part in political management or in political campaigns, except as may be provided by or pursuant to statute. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

INDIVIDUAL RESPONSIBILITY

Each officer and employee is responsible for refraining from prohibited political activity. He is presumed to be acquainted with the legal provisions applicable to him, and his ignorance of them will not excuse a violation. If he is in doubt as to whether any particular activity is prohibited, he should present the matter in writing to the United States Civil Service Commission before engaging in the activity.

II. JURISDICTION OF THE COMMISSION

EMPLOYEES IN THE COMPETITIVE SERVICE

There is no language in the Hatch Act that fixes responsibility for enforcement of the prohibitions against political activity of Federal officers and employees.

However, it is important to note that the prohibitive language of section 9(a) of the Hatch Act is substantially the same as that of section 4.1 of Civil Service Rule IV. The Civil Service Commission's jurisdiction in political-activity matters was not affected by passage of the Hatch Act.

³⁴ Civil Service Commission Pamphlet 20—May, 1966.

³⁵ The United States Supreme Court, in an opinion 730 U.S. 761 affirmed a judgment of the District Court

Section 15 of the Hatch Act provides that the activities that are prohibited by the act are those that the Commission had theretofore determined were prohibited, under the civil-service rules, on the part of employees in the competitive civil service.

Thus, under Civil Service Rule IV *and* under the Hatch Act, the Civil Service Commission has authority to enforce prohibitions against political activity of Federal officers and employees whose positions are in the competitive civil service.

(*Excepted Service.*)—The employing agency has the responsibility of enforcing the restrictions against political activity in the cases of those employees occupying positions specifically excepted from the provisions of the Civil Service Act and Rules.)

PENALTY PROVISIONS

The Attorney General has held (40 A.G. 14) that where both the law and the rule are violated the statutory penalty is mandatory.

An officer or employee found to have violated the restrictions imposed by section 9(a) of the Hatch Act and section 4.1 of Civil Service Rule IV must be immediately removed from the position or office held by him and—in accordance with a decision by the Comptroller General (25 Comp. Gen. 271)—may not be employed again in any position the salary or compensation of which is payable under the same appropriation as the position from which removed. This restriction is not limited to the appropriation act for any particular fiscal year.

If, however, the Commission determines by unanimous vote that the violation does not warrant removal, it may impose a lesser penalty under the terms of the amendment to the Hatch Act of August 25, 1950, but the penalty so imposed must be at least a 30-day suspension.

In an opinion of the Attorney General of September 12, 1947 (40 A.G. 545) it was held that the penalty provisions of the Hatch Act require the removal of an employee from the civil-service position or office that he is holding at the time his violation of the act is established, despite the fact that this position may be different from that held at the time the violation occurred. It is immaterial whether the second civil-service position has been obtained by transfer, promotion, or reappointment.

AUTHORITY UNDER RULE V

Section 5.4(a) of Civil Service Rule V reads as follows:

Whenever the Commission finds that any person has been appointed to or is holding a position in violation of the Civil Service Act, Rules or Regulations, or that any officer or employee in the executive branch has violated this order or any of the laws, rules or regulations administered by the Commission, it is authorized, after giving due notice and opportunity for explanation to the officer or employee and the agency concerned, to certify the facts to the proper appointing officer with specific instructions as to discipline or dismissal or other corrective actions.

Section 5.4(e) of Civil Service Rule V reads as follows:

If the appointing officer fails to carry out the instructions of the Commission issued under Section 4(a) of this Rule the Commission shall certify the facts to the head of the agency concerned. If the head of the agency fails to carry out the instructions of the Commission within ten days after receipt thereof, the Commission

The General Accounting Office is without jurisdiction to review the determinations of the Civil Service Commission under Rule V and, upon certification by the Commission that an employee is holding a position in violation of the Civil Service Act and rules, the General Accounting Office has no alternative to withholding credit for payments made for salary or compensation (decision, Comptroller General, July 20, 1939, to the Postmaster General).

COMMISSION PROCEDURE

In taking action on alleged violations of section 4.1 of Civil Service Rule IV and section 9 of the Hatch Act, the Civil Service Commission proceeds under regulations that provide for—

(1) Investigation of the complaint by representatives of the Commission and the employing agency.

(2) Issuance of charges, where there is prima facie proof of prohibited political activity, with a description of the specific charges and an opportunity to respond in writing.

(3) Issuance of an initial decision by the General Counsel with the right of appeal to the Commissioners.

(4) A hearing, unless waived by the employee with the concurrence of the General Counsel.

The Commission's procedure applies in the cases of those employees who resigned from their positions prior to a final determination by the Commission.

The Commission's regulations also provide for the reconsideration of the record, as authorized by law, upon request, of employees who were removed between August 2, 1939, and August 25, 1950, for established political-activity violations, to determine whether the violations were such as to warrant a penalty of less than removal.

III. APPLICABILITY OF RULE AND STATUTE

GENERAL STATEMENT

In the absence of specific statutory exemption, the basic political-activity restrictions apply to any person employed in the executive branch of the Federal Government, or any agency or department thereof, or in the government of the District of Columbia. Some persons are subject to these restrictions by virtue both of section 4.1 of Civil Service Rule IV and of section 9(a) of the Hatch Act; others are subject to them solely by virtue of section 9(a) of the Hatch Act.

Section 4.1 of Civil Service Rule IV applies to all employees in the competitive service.

Section 9(a) of the Hatch Act applies to all persons employed in the executive branch of the Federal Government³⁶ whether or not such persons are in the competitive service. The effect of section 9(a) of the statute is to place the same restrictions upon the political activities of all officers and employees of the executive branch of the Government that section 4.1 of Civil Service Rule IV places upon the political activities of officers and employees in the competitive service.

³⁶ Except (a) the President and Vice President of the United States; (b) persons whose compensation is paid from the appropriation for the office of the President; (c) heads and assistant heads of executive departments;

Section 14 of the Hatch Act (5 U.S.C. 118-k-3) provides: "For the purposes of this Act, persons employed in the government of the District of Columbia shall be deemed to be employed in the executive branch of the Government of the United States, except that for the purposes of the second sentence of Section 9(a) the Commissioners and the Recorder of Deeds of the District of Columbia shall not be deemed to be officers or employees."

GROUPS OF EMPLOYEES

Postmasters and post office employees.—All postmasters and acting postmasters, all employees in post offices of the first, second, and third classes, and all special delivery messengers in post offices of the first class are subject to the political-activity restrictions of Civil Service Rule IV and section 9 of the Hatch Act.

Persons employed on an irregular or occasional basis.—Persons who are employed on an irregular or occasional basis, e.g., experts and consultants on a per diem basis, w.o.c. and w.a.e. employees, etc., are subject to the political activity restrictions of the Hatch Act while in an active duty status only and for the entire 24 hours of any day of actual employment. The employing agency has the duty of enforcement in the cases of those employees occupying positions in the excepted service.

Temporary, part-time, and emergency employees.—Temporary, part-time, and emergency employees are subject to the statute and the rule.

Employees on leave.—An employee who is subject to the basic political-activity prohibitions while on active duty is subject to them while on leave with pay, leave without pay, or furlough, and incurs the same penalties for an offense committed while in leave or furlough status as for an offense committed while on active duty. However, if lump-sum payment is made for accumulated annual leave and the person involved is on terminal leave, he is not subject to the political-activity restrictions during the period covered by the lump-sum payment or thereafter.

It is not permissible for an employee to take leave of absence for the purpose of working with a political candidate, committee, or organization, or for the purpose of becoming a candidate for office with the understanding that he will resign his position if nominated or elected.

Persons not subject to political-activity restrictions.—The political-activity restrictions of section 9 of the Hatch Act and section 4.1 of Civil Service Rule IV do not apply to the following persons:

EXECUTIVE BRANCH

The President and Vice President of the United States.
Persons who are compensated from the appropriation for the Office of the President.

Heads and assistant heads of departments.
Officers who are appointed by the President by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal laws.
Ambassadors of the United States.
Ministers of the United States.

LEGISLATIVE BRANCH

JUDICIAL BRANCH

Officers and employees of the judicial branch of the Federal Government, including United States Commissioners, clerks of United States courts, referees in bankruptcy, and their secretaries, deputies, and clerks.

DISTRICT OF COLUMBIA

The Commissioners of the District of Columbia.³⁷
The Recorder of Deeds of the District of Columbia.³⁸

OTHER

Officers or employees of any educational or research institution, establishment, agency, or system that is supported in whole or in part by any State or political subdivision, or the District of Columbia, or by any Territory or Territorial possession of the United States, or by any recognized religious, philanthropic, or cultural organization.

Persons who are retained from time to time to perform special services on a fee basis and who take no oath of office, fee attorneys, inspectors, appraisers, and management brokers for the Home Owners' Loan Corporation and special fee attorneys for the Reconstruction Finance Corporation.

Persons who receive benefit payments, such as old-age assistance and unemployment compensation under the Social Security Act, rural-rehabilitation grants, and payments under the agricultural conservation program.

Persons retired from the Federal service, unless reemployed in the executive branch of the Federal Government.

Persons serving as star route and contract carriers and clerks in fourth-class post offices, provided such persons are not at the same time holding other Government employment.

Employees of the Alaska Railroad residing in municipalities on the line of the railroad in respect to activities involving the municipality in which they reside.³⁹

³⁷ Exemption annulled by adoption of Reorganization Plan No. 3 of 1967.

³⁸ Included by administrative decision within prohibition of Hatch Act.

U OF INVESTIGATION
COMMUNICATIONS SECTION

001311973

NR004 DE PLAIN

TELETYPE

1:28 PM URGENT 10-31-73 NMG

TO DIRECTOR (161-9896)

WFO (161-9324)

FROM DETROIT (161-1355) 1P

GERALD R. FORD; SPIN.

RE WFO TELETYPE 10/25/73, AND DETROIT TELEPHONE CALL
TO WFO, 10/30/73.

THIS CONFIRMS DETROIT TELEPHONE CALL TO WFO 10/30/73.

EXTENSIVE INVESTIGATION CONDUCTED AT DETROIT FAILED TO
LOCATE ANY INDIVIDUAL NAMED [REDACTED] PRESENTLY OR FORMERLY
EMPLOYED BY THE STATE OF MICHIGAN.

WFO AT WFO IS REQUESTED TO RE INTERVIEW [REDACTED] TO
OBTAIN FURTHER IDENTIFYING DATA REGARDING [REDACTED] SO THAT HE
MAY BE LOCATED AND INTERVIEWED BY DETROIT DIVISION.

END

#

JXS FBIHQ CLR

Assoc. Dir.	
Asst. Dir.:	
Admin.	
Comp. Syst.	
Ext. Affairs	
Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

Mr. Coleman

Room 1246

b6
b7c

161-9896-226

NOT RECORDED

3 10 1973

RECEIVED - DETROIT DIVISION

9.8
10/31/73

53 DEC 10 1973

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-05-2008 BY 60324/UC/BAW/STP/bls

F B I

Date: 10/31/73

Transmit the following in PLAINTEXT
(Type in plaintext or code)

Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (161-9896) (MAIL)
AND SAC, DETROIT (161-1355)

FROM: SAC, WFO (161-9324) (P)

GERALD R. FORD, SPECIAL INQUIRY, BUDED PAST.

RE DETROIT TELETYPE OF 10/31/73.

THIS CONFIRMS WASHINGTON FIELD OFFICE TELEPHONE CALL TO
DETROIT, 10/31/73.

[REDACTED] "NEW YORK TIMES", CONTACTED
REGARDING ADDRESS OF [REDACTED] [REDACTED] ^{EMPLOYED}
~~ASSOCIATE~~ AS [REDACTED]

b6
b7c

[REDACTED] DETROIT, MICHIGAN. PHONE [REDACTED]

161-9896-221
NOT RECORDED

3 DEC 13 1973

- ① - Bureau
1 - Tickler
1 - WFO

RST:pjf

(3)
Approved: M

Special Agent in Charge

Sent _____ M Per _____

U.S. Government Printing Office: 1972 - 455-574

53 DEC 19 1973

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-05-2008 BY 60324/UC/BAW/STP/bls

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland *MC*

FROM : O. E. Coleman *EC*

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

DATE: October 31, 1973

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

Approved

You advised that Pat McSweeney, Deputy Assistant Attorney General for Legislative Affairs, called and requested a name check of Bureau files concerning Robert N. Winter-Berger. You will recall that Winter-Berger is the author of the book, "The Washington Pay-Off," and has made certain allegations against Mr. Ford. During the course of our recent investigation of Mr. Ford, we contacted Winter-Berger but he refused to be interviewed, stating he preferred to be a witness before the House Judiciary Committee.

NY

Bureau files show that on January 27, 1970, Jack Anderson's column indicated that Winter-Berger, an acquaintance of Nathan Voloshen, had avoided prosecution by cooperating with the grand jury which indicted Voloshen and Martin Sweig. An Assistant United States Attorney handling the Voloshen prosecution advised our New York Office in 1969 that [redacted] was to be considered "[redacted]". [redacted] was not the subject of any Bureau investigation in connection with the activities of Voloshen or Sweig. There is no indication that [redacted] was ever utilized as a witness against either Voloshen or Sweig, who were both convicted in 1970.

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b7C

Our files also show that in 1965 a New York City attorney advised that [redacted] gave a document to one of his clients purporting his ability to negotiate a twenty five million dollar loan between this country and Brazil with a

- 1 - Mr. Callahan
- 1 - Mr. Cleveland
- 1 - Mr. Coleman
- 1 - Mr. Gallagher

WMG: dcm
(5)

CONTINUED - OVER

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53 DEC 19 1973

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

fee of eight hundred thousand dollars for [redacted] services. [redacted] also allegedly received from the person to whom he gave the document some uncut rubies to have appraised, and only under the threat of legal action did [redacted] return the rubies.

The New York Office subsequently verified [redacted] residence at [redacted], New York City, and learned [redacted] had claimed employment with the Australian Government. He was considered a problem tenant due to late rental payments. His bank closed his account in 1964 for excessive overdrafts. Ten suits were filed against him between 1957 and 1964 regarding unpaid financial obligations. In 1960, [redacted] was enjoined from selling any more securities in New York State following a charge by the State Attorney General's Office that he sold stock in a non-existent corporation.

Identification Division files show that one [redacted] was arrested by the New York City Police Department on May 13, 1958, for a "lewd act" and was sentenced the following day to pay a twenty five dollar fine or serve five days imprisonment. Since we have no biographical data concerning [redacted] in Bureau files, it is not known whether the subject of this arrest is identical with the [redacted] otherwise referred to above. This information is not being included in the letterhead memorandum attached.

ACTION: The foregoing information is being set forth in a letterhead memorandum and is being furnished separately to Mr. McSweeney.

WKC

HW

[Signature]

WMS

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 10/31/73	INVESTIGATIVE PERIOD 10/25/73 - 10/30/73
TITLE OF CASE GERALD RUDOLPH FORD, aka Gerald Rudolph Ford, Jr., Leslie King, Jr.		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div>	TYPED BY RS
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-05-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SPI	

REFERENCE: WFO report of SA , dated 10/30/73.

- P -

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ADMINISTRATIVE:

It is noted that investigative period in this report extends prior to referenced report since interview of FRANCIS KELLOGG had to be extended over two dates due to his unavailability because of prior business commitments.

WF T-1 is the United States Department of State which maintains the Official Foreign Service Personnel File for FRANCIS LEONARD KELLOGG and

ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <div style="text-align: center;"><i>M</i> <i>EW</i></div>					SPECIAL AGENT IN CHARGE	
COPIES MADE: 3 - <i>(illegible)</i> ⑨ - Bureau (161-9896) (Encl. 117) 1 - WFO (161-9324)					DO NOT WRITE IN SPACES BELOW <div style="text-align: center;">NOT RECORDED 3 DEC 13 1973</div>	
Dissemination Record of Attached Report					Notations	
Agency	Request Recd.	Date Fwd.	How Fwd.	1 - Bureau 3 - AS/AG (with Encl. 5)		
		11-2-73	11-2-73			
		11-2-73	11-2-73			
		11-2-73	11-2-73			

53 DEC 19 1973

[] These files were reviewed on October 29, 1973 by SA JOSEPH W. SPEICHER. A T-symbol is utilized in accordance with the provisions of the Foreign Service Act of 1946, as amended.

LEADS: WASHINGTON FIELD -

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b7c

Will continue efforts to review records pertaining to private bills introduced by FORD when they are made available.

Will interview [] regarding allegation involving FORD.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-05-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

Date:

[REDACTED]
October 31, 1973

Office: Washington, D.C.

Field Office File #:

161-9324

Bureau File #: 161-9896

b6
b7C

Title:

GERALD RUDOLPH FORD

Character:

SPECIAL INQUIRY

Synopsis:

Appointee re-interviewed regarding various allegations. **Staff members denied charges of WINTER-BERGER.** Congressman BOB WILSON clarified procedures of Republican Congressional Campaign Committee. FRANCIS L. KELLOGG interviewed and commented regarding allegations of WINTER-BERGER. [REDACTED] interviewed regarding employment of KELLOGG. Personnel data regarding KELLOGG and [REDACTED] set forth. [REDACTED] GSA, interviewed regarding rumors about appointee's involvement in awarding of government contracts.

- P -

ENCLOSURES :

One (1) copy of signed affidavit of FRANCIS L. KELLOGG, dated June 27, 1972.

One (1) copy of signed affidavit of WALLER TAYLOR II, dated June 28, 1972

One (1) copy of letter from GERALD R. FORD to WILLIAM P. ROGERS, dated March 12, 1970.

One (1) copy of letter from H. G. TORBERT, JR., Acting Assistant Secretary for Congressional Affairs, to GERALD R. FORD, dated March 27, 1970.

One (1) copy of letter from CHARLES E. GOODELL to PETER M. FLANIGAN, dated September 18, 1969.

One (1) copy of letter from PETER M. FLANIGAN to CHARLES E. GOODELL, dated October 8, 1969.

One (1) copy of letter from CLAIBORNE PELL to ELLIOT LEE RICHARDSON, dated May 6, 1970.

One (1) copy of letter from ELLIOT L. RICHARDSON to CLAIBORNE PELL, dated May 12, 1970.

One (1) copy of letter from MAURICE STANS to WILLIAM P. ROGERS, dated January 14, 1970.

One (1) copy of letter from WILLIAM P. ROGERS to MAURICE STANS, dated February 7, 1970.

One (1) copy of letter from WILLIAM ATTWOOD to HENRY A. KISSINGER, dated February 13, 1969.

One (1) copy of letter from WILLIAM P. ROGERS to WILLIAM ATTWOOD, dated February 19, 1969.

One (1) copy of letter from RUSSELL E. TRAIN to ELLIOT L. RICHARDSON, dated February 7, 1969.

One (1) copy of newspaper article from "The Washington Post," dated October 28 1973.

WFO 161-9324

DETAILS: AT WASHINGTON, D.C.

Interview of Appointee

Representative GERALD R. FORD furnished the following information to SA RICHARD T. TAYLOR, JR., on October 29, 1973.

He referred to a news column under the byline of JACK ANDERSON and LES WITTEN entitled "Ford; Charges, Denials," which had appeared in "The Washington Post" on October 28, 1973. The **article** contained allegations by ROBERT WINTER-BERGER in which WINTER-BERGER alleged he had "loaned" Representative FORD \$15,000 to cover urgent personal needs resulting from an illness and hospitalization of the Representative's wife. In addition, WINTER-BERGER alleged in his book "The Washington Pay-Off" that WINTER-BERGER arranged for the receipt of \$125,000 in contributions and that the Representative also had supplied an official sticker for a private limousine during the 1969 Presidential Inauguration festivities.

Representative FORD characterized the foregoing allegations as lies. He pointed out his wife and family are covered by high-option hospitalization insurance which would more than cover any major medical expenses incurred by his family. He pointed out that he at no time had ever received any contribution, gift, or other assistance from WINTER-BERGER, nor had he ever requested any assistance from him in the financial area. Further, he advised he had no excess of official stickers during the 1969 Inauguration and did not suggest to any recipient of those stickers available to him that they make any financial contributions to any cause..

In addition, Representative FORD steadfastly denied he had ever consulted with Dr. ARNOLD HUTSCHNECKER as alleged in the article, as well as in WINTER-BERGER's book.

Concerning the allegation that three members of his staff had received wallets, each containing \$100 bills as Christmas gifts from WINTER-BERGER:

FORD denied ever having received any indication from WINTER-BERGER that he intended to present any gift to any members of his staff. He advised his former Administrative Assistant, FRANK MEYERS (deceased), [REDACTED] the Representative's Personal Secretary, and a secretary on the Representative's staff, informed him of receipt of wallets from WINTER-BERGER during the 1969 Christmas season. Upon publication of "The Washington Pay-Off," Representative FORD questioned his staff concerning the alleged gifts from WINTER-BERGER and each denied receiving any money with their gifts. Representative FORD affirmed he has complete faith in his staff's response and denial of receipt of any money from WINTER-BERGER.

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Fifth District Account

Representative FORD referred to a previous interview concerning this account and its establishment approximately 10 or 15 years ago, by means of an excess in campaign funds which Representative FORD received at that time. He advised the only additional funds deposited in this account result from spontaneous donations from recipients of his news letter and personal small deposits of money from the Representative's House Stationery Account. He said his news letter circulation is approximately 21,000 copies per issue and that these issues cost him in the vicinity of \$180 to \$190 per issue. The issues do not seek donations from recipients and there is no subscription charge for the receipt of these news letters.

Representative FORD referred to previous interview regarding the account and reaffirmed that **withdrawals from** the account for the purpose of travel to various speaking engagements are reimbursed by the various organizations before which he appears.

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[redacted] Personal Secretary to Representative GERALD R. FORD and Administrative Assistant, Office of Minority Leader, advised she recalled ROBERT WINTER-BERGER had presented her with a wallet during the Christmas season of 1969 during a visit to Representative FORD's Office. She described the gift as being nominal and as being typical of wallets costing in the vicinity of \$3 to \$3.50. She said there was no money contained in the wallet. She recalled writing an appreciation note for the gift in January, 1970. She did so without consulting Representative FORD because [redacted] felt this was the proper thing to do.

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[redacted] advised on October 29, 1973, she also had received a wallet as a Christmas gift from ROBERT WINTER-BERGER in December, 1969. She said there was no money contained in the gift, and she accepted it as a token of the Christmas season. Mr. WINTER-BERGER presented the gift to [redacted] during a visit in December, 1969, to Representative FORD's Office. She mailed a private note to him in January, 1970, in which she expressed her appreciation for the gift. She described the wallet as being an inexpensive type and as costing no more than \$4.

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Representative BOB WILSON (California) furnished the following information to Special Agent RICHARD T. TAYLOR, JR., on October 29, 1973:

Representative WILSON had been Chairman of the National Republican Congressional Committee in 1969. He also had been Chairman of the Republican Booster's Club at that time. He also made reference to a newspaper article by JAMES R. POLK of the "Associated Press", which article appeared in "The Washington Post" in February, 1971. The article referred to monies allegedly received by Representative FORD from the National Republican Congressional Committee during the previous election, which receipts were alleged to be contrary to campaign reporting activities. Representative WILSON advised that all receipts and disbursements of the National Republican Congressional Committee are required by law to be filed with the Clerk of the House of Representatives. He said the only possible exception of current filing of these receipts occurred in situations involving "earmarked" funds. He said that donations received by him which were earmarked for specified members, according to existing campaign laws at the time, could be withheld by the Committee and not disbursed to the member until a subsequent election campaign. In an instance where the campaign member already had reached his legal campaign limit, no disbursement would be made to him despite earmarking, as the disbursement would violate the existing campaign law at the time. In any event, the actual disbursement of earmarked funds to members would be recorded during the campaign in which they were actually disbursed. **Representative WILSON advised he has no specific recollection of any amounts "earmarked" for or disbursed to Representative FORD's campaign organization.**

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Interview of the Appointee

On October 30, 1973, the appointee, Representative GERALD R. FORD, furnished the following information to SA RICHARD T. TAYLOR, JR.

He had received an invitation from RICHARD GILLETT, President, Old Kent Bank and Trust Company, Grand Rapids, Michigan, and from other members of the Board of Directors of the bank in approximately December, 1967, in which they invited him to become a member of the bank board. At the time Representative FORD was aware of existing regulations requiring members of the board to be holders of a minimum of 100 shares of the bank's stock in order to qualify for board membership. In order to satisfy this requirement Representative FORD purchased 100 shares of the stock from his own personal funds and payment was made by the Representative's personal check. He advised he still has this canceled check in his possession. Representative FORD assumed his membership on the bank board in January, 1968.

Representative FORD is aware of allegations by ROBERT WINTER-BERGER in his book, "The Washington Pay-Off," in which WINTER-BERGER infers that Representative FORD's board membership had been illegal. Representative FORD disputes this inference and advises that his membership on the board was proper in all respects. Representative FORD recalled he terminated his board membership in the winter of 1968.

Representative FORD has no question concerning the propriety of his brief participation in activities of the board.

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FRANCIS LEONARD KELLOGG, Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State was interviewed on October 25, 1973 and October 30, 1973 by SA JOSEPH W. SPEICHER regarding allegations made by ROBERT N. WINTER-BERGER in his book "The Washington Pay-Off" that KELLOGG paid, or promised to pay, the sum of \$30,000.00 to the Republican National Committee through Congressman GERALD R. FORD in exchange for Congressman FORD's help in arranging an Ambassadorial appointment for KELLOGG. KELLOGG furnished the following information concerning this, and other matters:

He has met Congressman FORD on only a very few occasions, three or possibly four times, and for very short periods of time, averaging about five minutes each. He first met FORD on February 25, 1969, shortly after first being introduced to WINTER-BERGER in mid-February, 1969 by a former Princeton classmate of KELLOGG's, [redacted] who works for a public relations firm in New York City. WINTER-BERGER may have arranged the meeting with FORD and may have accompanied KELLOGG on that occasion but KELLOGG is not certain. He commented that "I would guess that this meeting was arranged by WINTER-BERGER, although I cannot be certain".

KELLOGG had a second meeting with FORD on August 14, 1969 and there is nothing in his records to indicate that this meeting was arranged by WINTER-BERGER, although it may have been. KELLOGG's schedule for September 18, 1969 contained a notation "Ford's Office" although he does not remember seeing FORD on that date and has no recollection of this matter. KELLOGG saw FORD again on October 20, 1969, or at least had an appointment to do so but is not certain that the appointment was held as scheduled. In any event, KELLOGG saw FORD at least twice, perhaps three times and possibly four times for approximately five minutes each time. All these meetings took place in Congressman FORD's office in Washington, D.C. and they all amounted to "courtesy calls" during which KELLOGG made known his interest in coming to Washington, D.C. to enter government service. FORD did no more than express a non-committal reaction, more polite than anything else. FORD made no promises to KELLOGG and showed only a polite interest in KELLOGG's desire for an

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appointment. FORD said nothing to KELLOGG during these meetings that made KELLOGG happy or elated about his prospects. KELLOGG felt that "about all I got across to FORD was that I was around and looking".

During all of his meeting with FORD, KELLOGG did not discuss with FORD any contributions of money, or any other item or thing of value, to FORD or to anyone else, or to the Republican National Committee through FORD. FORD himself did not mention the subject of contributions by KELLOGG. KELLOGG never paid any money or other thing of value to FORD nor promised to pay anything to FORD in exchange for his assistance in obtaining an Ambassadorial appointment. KELLOGG likewise never paid any money or other thing of value through FORD to anyone or any organization and he never promised to pay anything through FORD to anyone or any organization in exchange for FORD's help.

KELLOGG recalled that Congressman FORD did once suggest that KELLOGG might be interested in attending an international conference as an observer. This suggestion was probably made during their short meeting on August 14, 1969, to the best of KELLOGG's recollection, because shortly thereafter in the Fall of 1969 KELLOGG received a list of impending international conferences from the Bureau of **International Organization Affairs (IO)**, Department of State, with an inquiry as to whether he was interested in attending any of them. KELLOGG responded that he would like to attend the International Conference of Ministers of Education and Economic Planning of Seventeen Arab Countries, to be held at Marrakech, Morocco for a five day period during January, 1970. KELLOGG attended this conference as an observer on the U.S. Delegation.

KELLOGG later attended a meeting of the Executive Committee of the United Nations High Commissioner for Refugees during late September and early October, 1970 at Geneva, where

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he headed the U.S. Delegation and had the personal rank of Ambassador. He also was a member of the U.S. Delegation to the United Nations General Assembly meeting in New York City during September, 1970 and headed the U.S. Delegation to a meeting of the Intergovernmental Committee for European Migration in November, 1970. KELLOGG emphasized that Congressman FORD had nothing to do with his attendance at these last three conferences. He explained that the position of Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State, had been vacant for some time and the Deputy had recently had a heart attack and was unable to attend. KELLOGG by that time was under serious consideration for the position he now holds and it was logical that he attend these conferences. He added that he had been approved for appointment for the position for sometime before he was actually appointed and sworn in, because of the delay made necessary by his negotiations with the Office of the Legal Adviser, Department of State regarding the necessity of his resignation from directorships in approximately twelve businesses in order to avoid the possibility of a conflict of interest. KELLOGG was eventually sworn in to his present position in mid January, 1971, but his selection for the position was made quite some time before that.

KELLOGG indicated that he does not feel that he knows Congressman FORD well enough personally to comment concerning his character, integrity, loyalty, reputation or associations. His impression, based on a very few and very short conversations with FORD are that he is a very pleasant, affable, quiet, soft-spoken, gentlemanly and courteous man. FORD "seemed like a very fine man" to KELLOGG.

KELLOGG emphasized that in his desire to obtain an opportunity to enter government service, he "talked to anybody with connections in Washington, D.C. who might be in a position to help him". WINTER-BERGER was mentioned to him by his friend, [redacted], as a man with connections in Washington who might help him and it was because of this that [redacted] introduced KELLOGG to WINTER-BERGER in mid February, 1969. KELLOGG did

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not consider himself as a "client" of WINTER-BERGER's. He signed no contract or agreement with him and did not pay him any regular amount for his services. KELLOGG paid WINTER-BERGER a total of approximately \$950.00 for the travel expenses involved in three round-trips from New York City to Washington, D.C. and return, and \$100.00 for other expenses on each of these trips. In addition there were a few small amounts for various items of expense, so that the total amount paid to WINTER-BERGER by KELLOGG approximated \$950.00.

KELLOGG mentioned that Congressman FORD may have written to the Secretary of State on his behalf, but if so it was very late in the period of time during which KELLOGG was seeking an appointment. Such a letter, if written, (and KELLOGG has no clear recollection on this matter) would probably have been at the time in 1970 when KELLOGG was under serious consideration for the position he presently holds at the Department of State. He emphasized that he was "far from depending on FORD for my getting a job in Washington", adding that on his occasional trips to Washington, D.C. he would see four or five other people in an attempt to obtain their assistance. FORD exhibited only polite interest and encouragement and made no promises to him. FORD "was certainly not the moving force in my getting a position at the State Department", according to KELLOGG. He indicated that FORD was not instrumental in obtaining for KELLOGG his present position at the Department of State adding that he can be so categorical about this matter because it was Senator CLAIBORNE PELL of Rhode Island, with whom KELLOGG had gone to college and who has been a long-time personal friend of KELLOGG's, who first mentioned to him that the position of Special Assistant for Refugee and Migration Affairs at the Department of State was open and that KELLOGG was qualified to fill it.

KELLOGG explained that when Senator PELL came to Washington, D.C., about ten years ago, he asked KELLOGG to take his place on two voluntary organizations. These were the International Rescue Committee (IRC) on which KELLOGG served as a Director, and the American Immigration and Citizenship Conference (AICC) which KELLOGG served as a Director and as Treasurer. He served on both of these groups for ten years and

was therefore experienced in and informed about problems of refugees. KELLOGG talked to people at the Department of State about his interest in this position, including [redacted] who was working in a liaison capacity between the White House and the Department of State and later became [redacted] to the Secretary of State. KELLOGG was interviewed by prominent officials of the Department of State including U. ALEXIS JOHNSON, Under Secretary for Political Affairs; ELLIOT RICHARDSON, Under Secretary of State and WILLIAM B. MACOMBER, Deputy Under Secretary for Administration. KELLOGG asked various friends of his to write letters on his behalf to the State Department or to the White House, and he was eventually appointed to his present position. He commented that "the person who was most instrumental in obtaining this position for me at the State Department is me", not Congressman FORD or anyone else.

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The allegation in WINTER-BERGER's book that KELLOGG paid or agreed to pay \$30,000.00 to FORD in return for FORD's support for an Ambassadorial assignment are false and are not true. In fact, many, if not most of WINTER-BERGER's statements regarding KELLOGG are not true, and some are "downright lies and fabrications". WINTER-BERGER's statement that KELLOGG gave \$30,000.00 to the New York State Republican Campaign Fund, headed by MAURICE STANS, as a result of WINTER-BERGER's advice is not true. KELLOGG gave \$25,000.00, not \$30,000.00 and this money was given on November 13, 1968, while KELLOGG did not meet WINTER-BERGER until mid-February, 1969. KELLOGG gave the amount of \$25,000 on November 13, 1968 to MAURICE STANS in New York. The amount was paid by means of a series of checks, at least nine checks in all, made out to nine or more different committees involved in raising money for the Presidential campaign of 1968. The checks were made out to such groups as the Nixon-Agnew Campaign Fund, etc. and all checks went to groups involved in the national campaign-not to candidates running for local or state offices in New York State.

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KELLOGG later gave a single check in the amount of \$3,000 to the Republican Congressional Booster Club, about September, 1969. He cannot recall to whom he actually gave this check. He has no recollection of having given it to Congressman FORD. KELLOGG recalls that several people, "at least four", suggested that he contribute to the Booster Club, but he has no recollection that either FORD or WINTER-BERGER suggested it.

KELLOGG's total contributions to political campaigns during the period WINTER-BERGER referred to involved \$28,000.00 and no more. Furthermore, KELLOGG's wife and other members of his immediate family made no contributions, in addition to his own.

WINTER-BERGER never discussed the \$3,000 limitation on political contributions with KELLOGG, as he sets out in his book. KELLOGG was already aware of this limitation, particularly in connection with the series of checks he had written in November, 1968 when contributing \$25,000 in New York, and therefore he would not have needed to discuss it with WINTER-BERGER. WINTER-BERGER "was always trying to persuade KELLOGG to give more money", so WINTER-BERGER could get credit for soliciting the contribution, but KELLOGG does not recall the specific amount of \$30,000 ever being mentioned by WINTER-BERGER to him nor discussed between them. KELLOGG never discussed with WINTER-BERGER the writing of ten checks for \$3,000 each to be given by WINTER-BERGER to Congressman FORD, as set forth by WINTER-BERGER on page 243 of his book. WINTER-BERGER sets forth several purported conversations between WINTER-BERGER and FORD, but KELLOGG has no knowledge whatever as to these conversations, or whether they ever took place.

WINTER-BERGER's statements that KELLOGG was interested in an Ambassadorship are correct but KELLOGG never gave WINTER-BERGER any indication that he was willing to give anyone more money for this purpose. KELLOGG was made a member of the Republican Finance Committee, as WINTER-BERGER stated, but he indicated that "I do not know who was instrumental in my appointment". KELLOGG has no opinion about this, because he has

no recollection or knowledge of it. In any event, according to KELLOGG, this committee was very large, having well over one hundred members and appointment to it was not important or significant to KELLOGG.

WINTER-BERGER's statement on page 249 of his book that KELLOGG promised \$30,000 to the Republican Party through JERY FORD is not true, as is the statement that he was prepared to "go for another \$30,000 if the State Department would give him an Ambassadorship." WINTER-BERGER's statement that KELLOGG's boss at the International Mining Company, LEWIS B. HARDER, arranged an appointment for KELLOGG to see Vice President AGNEW is not true. KELLOGG saw Vice President AGNEW on November 6, 1969 at 3:45 P.M. in his office, not on April 10, 1969, as set out by WINTER-BERGER and the appointment was arranged for KELLOGG by AGNEW's Administrative Assistant [redacted] not HARPER. AGNEW's reported comment that KELLOGG was talking to the wrong man and that AGNEW could not help him is accurate, according to KELLOGG.

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WINTER-BERGER's report of KELLOGG's meeting with WALLER TAYLOR, member of the Los Angeles, California, law firm of Adams, Duque, and Hazeltine, on April 30, 1969, as set out on pages 250 and 251 of his book is completely inaccurate and in most respects "totally and completely false." KELLOGG's secretary's records indicate that his meeting with TAYLOR and WINTER-BERGER took place on May 16, 1969, rather than on April 30, 1969, although KELLOGG's own recollection is that the meeting may have taken place on April 30, 1969, because he recalls that on the day he met TAYLOR and WINTER-BERGER at his office in New York, he was pushed for time to see them that morning because of a stockholders meeting followed by a Board of Directors meeting, followed by a luncheon. KELLOGG's records do reflect that on April 30, 1969, he had the stockholders meeting, the directors meeting, and the luncheon and he therefore feel that the meeting with TAYLOR and WINTER-BERGER probably did take place on April 30, 1969.

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KELLOGG met TAYLOR on only this one occasion, with WINTER-BERGER present. They talked for approximately fifteen minutes-a very pleasant talk. KELLOGG told TAYLOR of his interest in a position in government and he seemed sympathetic but non-committal "and that was it". There was no discussion of money whatever and WINTER-BERGER's statement that KELLOGG paid TAYLOR \$65,000 in cash for TAYLOR's help is "totally and completely false-100% false". KELLOGG added that this is "a complete fabrication" by WINTER-BERGER, pointing out that his schedule for that day was such that even if he wanted to he could not possibly have produced \$65,000 neatly wrapped in packages as described by WINTER-BERGER in the short time indicated by WINTER-BERGER. Furthermore both KELLOGG and WALLER TAYLOR have prepared affidavits denying WINTER-BERGER's story and describing it as completely false.

WINTER-BERGER's report regarding KELLOGG's interest in obtaining the endorsement of Mayor JOHN LINDSAY of New York City, through PETER CUSICK, is probably not true. KELLOGG has no recollection either of CUSICK or of this whole situation. He described it as "ridiculous on the face of it". Furthermore KELLOGG has no recollection of checking with Senator PELL regarding the value of Mayor LINDSAY's endorsement, as WINTER-BERGER assumed on page 253 of his book.

Returning to the topic of WALLER TAYLOR, KELLOGG indicated that he was not a client of TAYLOR's, he never paid TAYLOR any money and TAYLOR never arranged a meeting between KELLOGG and President NIXON.

KELLOGG did write a letter to TAYLOR in November, 1969 as set forth on Page 254 of WINTER-BERGER's book but nothing ever came of it. In fact, KELLOGG never met President NIXON in the course of his attempts to obtain an appointment in Washington, D.C.

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WINTER-BERGER's statement on page 253 that KELLOGG could not sell his International Mining stock while President of the company is not true. The stock would have to be sold in compliance with the regulations of the Securities and Exchange Commission, but that didn't mean that KELLOGG could not sell the stock.

WINTER-BERGER's reference on page 253 to a phone call which KELLOGG received from HERBERT W. KALMBACH, the President's Aide is not correct. KELLOGG had only one telephone conversation with KALMBACH, which KELLOGG initiated and he got so little encouragement from KALMBACH that he never tried again. The letter of August 11, 1969 from KELLOGG to KALMBACH mentioned on page 254 of WINTER-BERGER's book which refers to KALMBACH's call "last Friday" probably referred to a situation where KALMBACH had responded to a call which KELLOGG had originally placed.

WINTER-BERGER's statement on page 255 that KELLOGG's position at the Department of State as Special Assistant to the Secretary for Refugee and Migration Affairs carried a special ambassadorial title is not true. It is true, as WINTER-BERGER states on page 283 that LOUISE GORE was one of the people KELLOGG had contacted for help in obtaining an appointment, but he paid her no money and she was only one of many people he contacted for assistance.

WINTER-BERGER's statement on page 310 that KELLOGG's efforts to obtain an Ambassador's post cost him \$125,000 is false.

In conclusion, KELLOGG repeated that he did not give, nor promise to give JERRY FORD any money or thing of value to get his help in obtaining an appointment, and no member of KELLOGG's family did so either.

KELLOGG referred to a column written by JACK ANDERSON and LES WHITTEN which appeared in the Washington Post on Sunday, October 28, 1973. This column discussed WINTER-BERGER, his book, and an affidavit which he gave to the Senate Rules

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Committee and to ANDERSON. KELLOGG repeated that the reference in this column to WINTER-BERGER's statement that KELLOGG contributed \$125,000 to various Republican causes at the request of FORD is a lie. WINTER-BERGER's statement that he arranged for KELLOGG to meet at least twice with FORD at KELLOGG's request is "probably correct" but the statement that FORD agreed to help KELLOGG get a government post is not true. KELLOGG also stated that WINTER-BERGER's statement that he wanted to be Ambassador to Kenya is true, but he was also interested in other posts. ANDERSON's report of an interview with KELLOGG in which KELLOGG agreed that WINTER-BERGER had arranged appointments with FORD and that KELLOGG had been in touch with KALMBACH about a job are true. KELLOGG added that he did deny to ANDERSON's representative that he contributed \$125,000 and told him that his total contribution in 1968 and 1969 was \$28,000 and that this was not given at either WINTER-BERGER's or FORD's request.

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On October 30, 1973, [REDACTED]
[REDACTED], Office of the Secretary, Department of Health,
Education and Welfare, advised SA [REDACTED] as follows:

In his position as [REDACTED] to the Secretary of State all political type "excepted" appointments at the Department were handled through his office. In regards to the employment of FRANCIS LEONARD KELLOGG as the Special Assistant to the Secretary for Refugee and Migration, he knew of no influence whatsoever exerted by GERALD FORD to obtain this job for KELLOGG. KELLOGG's employment was routinely handled by him after referral through White House channels and the only time they ever discussed money or financial matters was during the latter stages of KELLOGG's recruitment and came about in respect to his conflict of interests statement. To his recollection, at no time did KELLOGG ever mention political contributions he may have made. [REDACTED] did assume that KELLOGG had made numerous political contributions due to his good financial standing.

He added that he had processed KELLOGG's employment and when it became evident that KELLOGG would be employed at the State Department KELLOGG was given opportunities to attend selected international conferences within the area he was to be employed. He described this as normal procedure and he believed that his office had been involved in sending KELLOGG to conferences but certainly not as a result of any sort of political pressure.

[REDACTED] was unaware of any letter which may have been written by FORD introducing KELLOGG to Secretary of State ROGERS and did not expect any letters other than the usual letters from KELLOGG's home State Congressmen (New York) to be in his file. [REDACTED] had his secretary at the Department of State review KELLOGG's file and she discovered a letter of introduction

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from FORD to ROGERS concerning KELLOGG dated March 12, 1970. He added that he was unaware of the FORD letter as it was received before he began acting as [redacted] to the Secretary of State. He concluded by saying that such letters of recommendation carry minimal weight in the Department of State hiring policies.

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[redacted] also advised that he did not know WALLER TAYLOR and has never heard of him.

On October 29, 1973 [REDACTED], Assistant Conference Records Office, Administration Staff, Office of International Conferences, Bureau of International Organization Affairs, Department of State advised SA JOSEPH W. SPEICHER that the records of her office reflected that FRANCIS L. KELLOGG attended the following international conferences:

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1. The Twenty-First Session of the Executive Committee of the United Nations High Commissioner for Refugees Program, held at Geneva, Switzerland from September 28, 1970 to October 7, 1970. KELLOGG served as the United States Representative on the U.S. Delegation. A telegram dated September 28, 1970 from the Secretary of State to the U.S. Mission, Geneva, Switzerland in this conference file stated that the Personal Rank of Ambassador had been accorded to KELLOGG during the period of his service as U.S. Representative to this conference. A memorandum in file dated September 23, 1970 reflected that the Office of International Conferences (OIC) of the Bureau of International Organization Affairs (IO) proposed KELLOGG for attendance at the conference after consulting with various offices, "... and in consultation with [REDACTED] Office of the Deputy Under Secretary for Administration..." Another memorandum in file dated October 6, 1970 mentioned that "... [REDACTED] endorses Mr. KELLOGG as Chairman of the delegation..."

2. Thirty-Third Session of the Council of the Intergovernmental Committee for European Migration (ICEM) held at Geneva, Switzerland from November 23 - 26, 1970. The file on this conference contained no information indicating that KELLOGG was accorded the rank of Ambassador while serving at this conference. A memorandum dated November 17, 1970 in the file indicated that [] office, among others had been consulted by OIC in selecting members of the Delegation. KELLOGG served as the U.S. Representative on the U.S. Delegation to this conference.
3. Forty-First (Special) Session of the Executive Committee of the ICEM, held at Geneva, Switzerland from May 17 - 19, 1972. KELLOGG served as the U.S. Representative on the U.S. Delegation, and was identified as Special Assistant to the Secretary for Refugee and Migration Affairs. The file for this conference did not indicate Ambassadorial rank for KELLOGG while he attended this conference.
4. Twenty-Third Session of the Executive Committee of the United Nations High Commissioner for Refugees Program, held at Geneva, Switzerland from October 9 - 18, 1972. KELLOGG was then serving as Special Assistant to the Secretary for Refugee and Migration Affairs and was the U.S. Representative on the U.S. Delegation to this conference. The file did not indicate Ambassadorial rank for KELLOGG at this conference.

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5. Thirty-Fifth Session of the Council of the ICEM held at Geneva, Switzerland from December 4 - 6, 1972. KELLOGG served as the U.S. Representative on the U.S. Delegation. The file did not indicate Ambassadorial rank for KELLOGG.

[redacted] indicated that she could locate no record of any additional international conferences which KELLOGG might have attended. She explained that his present position as Special Assistant to the Secretary for Refugee and Migration Affairs would normally involve him in attendance at numerous meetings and conferences in the field of his speciality and records of all such meetings are not necessarily maintained by OIC. She added that prior to his formal appointment to his present position at the Department of State, KELLOGG might well have attended other international conferences in a private or unofficial capacity, or under the sponsorship of some other government agency, in which case there would be no record in her office.

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The files of WF T-1, another government agency which maintains personnel folders, contained the following verification of the U.S. Government employment of FRANCIS LEONARD KELLOGG, as of October 29, 1973:

1/19/71 Limited appointment to the position of Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State, Washington, D.C. This appointment was limited to a period of five years or the need for KELLOGG's services, whichever is less. KELLOGG is currently serving in this capacity.

KELLOGG's file listed his birthdate as January 5, 1917 at New York, New York and his Social Security Number as 142-12-7306. The file contained no letter of introduction written by Congressman GERALD R. FORD of Michigan to Secretary of State, WILLIAM P. ROGERS, introducing KELLOGG to ROGERS, nor letters from any individuals recommending KELLOGG for employment at the Department of State. KELLOGG's file contained an application form (Standard Form 171) dated August 7, 1970 on which he listed three references, none of whom were GERALD FORD.

KELLOGG's file contained no information concerning any other employments or assignments from the Department of State, such as on advisory groups or as a member of the delegation to international conferences. From May, 1955 to the date of his application (August 7, 1970) KELLOGG served as President of John Wanamaker Liberty Street, Incorporated, 150 Broadway, New York, N.Y. From May, 1955 to April, 1970 KELLOGG served as President of the International Mining Corporation, 280 Park Avenue, New York, N.Y. until his retirement. From 1964 to 1969 KELLOGG was President of Fabrica de Dulces Duval, S.A., Azahares 84, Mexico 4, D.F., Mexico, an American-owned company incorporated in Mexico which manufactured candy and food products. KELLOGG's application form listed his

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1970 address as 920 Fifth Avenue, New York, N.Y. Another form in file dated January 19, 1971 listed his address as 455 North County Road, Palm Beach, Florida. A "Designation of Beneficiary" form in file dated December 13, 1972 listed KELLOGG's address as 700 New Hampshire Avenue, N.W. (809), Washington, D.C.

On an application form in file dated August 7, 1970, KELLOGG indicated that he was married and listed his wife as [REDACTED].

On a "Designation of Beneficiary" form in file dated December 13, 1972 KELLOGG listed his wife as [REDACTED] and her address as [REDACTED]

[REDACTED], Washington, D.C.

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In an "Officer Evaluation Report" dated June 21, 1972, KELLOGG's supervisor U. ALEXIS JOHNSON, then the Under Secretary for Political Affairs, Department of State mentioned that KELLOGG, as Special Assistant to the Secretary for Refugee and Migration Affairs, had a rank equivalent to Assistant Secretary of State. In his summary comments, JOHNSON remarked: "I am greatly impressed by Mr. KELLOGG's ability to move into a new area, to pick up the reins quickly, and to turn in an outstanding performance with very little in the way of guidance from the top level of the Department. He functions very much on his own in a complicated environment and he does it exceedingly well." JOHNSON mentioned that the high point of KELLOGG's activities during the previous year was his organization and control of a major refugee relief operation in India and Bangladesh. JOHNSON added that KELLOGG's office had also been active in assisting Jewish refugees from the Soviet Union, and KELLOGG had maintained effective relations with Congress.

WFO 161-9324

RST:psd

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The files of WF T-1, another government agency which maintains personnel folders, contained the following information concerning [redacted] as of October 29, 1973:

by [redacted] From [redacted] to [redacted] was employed

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ascertained that [redacted] is now employed by the DHEW.

[redacted] file contained [redacted]

WFO 161-9324

RST:psd

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[REDACTED]

[REDACTED]

most recent

[REDACTED]

that

reflected

[REDACTED]

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WFO 161-9324

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On October 30, 1973 FRANCIS L. KELLOGG, Special Assistant to the Secretary for Refugee and Migration Affairs, Department of State furnished to SA [REDACTED] copies of an affidavit by KELLOGG dated June 27, 1972 and by WALLER TAYLOR II, dated June 28, 1972 relating to statements by ROBERT N. WINTER-BERGER in his book "The Washington Pay-Off" that KELLOGG paid TAYLOR \$65,000.00 for his assistance in obtaining an appointment for KELLOGG.

On October 30, 1973, [redacted] Secretary to the Special Assistant to the Deputy Under Secretary for Management, Department of State made available to SA JOSEPH W. SPEICHER a copy of a letter dated March 12, 1970 to the Secretary of State from Congressman GERALD R. FORD in which FORD recommended FRANCIS L. KELLOGG for the position of Special Assistant to the Secretary for Refugees and Migration. She also made available a copy of the response to Congressman FORD's letter by [redacted] Acting Assistant Secretary for Congressional Relations, dated March 27, 1970. [redacted] volunteered copies of other letters of recommendation of KELLOGG by Senator CHARLES E. GOODELL (dated September 18, 1969), Senator CLAIBORNE PELL (dated May 6, 1970) MAURICE H. STANS, Secretary of Commerce (January 14, 1970), WILLIAM ATTWOOD, Former Ambassador to Kenya and Editor In Chief of Cowles Communications, Inc., New York, N.Y. (February 13, 1969) and by RUSSELL E. TRAIN, Under Secretary of the Interior (February 7, 1969), together with copies of the responses thereto except in the case of the letter from RUSSELL E. TRAIN where the letter of response was not available.

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General Services Administration (GSA)

[redacted] General Services Administration, advised SA MAURICE F. DONEGAN, JR., on October 30, 1973, that GSA, some ten days ago, received information from the Chicago Daily News of rumors that United States Representative GERALD R. FORD had been instrumental in getting big contracts for the Steel Case Furniture Company, Grand Rapids, Michigan for buildings supplied and furnished by GSA. A preliminary inquiry was made by GSA which indicated nothing concerning FORD, but did disclose some apparent irregularities in procurement procedures sufficient for [redacted] to justify ordering an investigation of these procedures.

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Specifically the questioned procedures involve three different buildings recently furnished by GSA:

1. A building at 300 South Wacker Drive in Chicago, Illinois, occupied by HEW, OEO, HUD, and other Federal agencies.
2. A new Federal office building in Chicago.
3. A new Federal office building in Grand Rapids, Michigan.

The preliminary inquiry disclosed that over \$400,000 in furniture and furnishings had been purchased for the building on Wacker Drive from the Steel Case Company.

[redacted] has ordered auditors and investigators to try to determine the extent of procurement for these three buildings and to determine any irregularities that might have taken place in procurement for these three buildings. The auditors and investigators will proceed to Grand Rapids, October 30, 1973, and make an examination of the Steel Case Company records to determine these two items. The investigation will be primarily concerned with any irregularities on the part of GSA personnel, particularly in the writing of specifications, to see if they have been manipulated to propose favoritism to any one supplier, and also to see if any GSA Contracting Officer had allowed irregularities in contracting procedures that would grant favoritism to any one supplier.

In this latter connection, [redacted] noted that [redacted] with GSA Federal Supply Service in Washington, D.C. had been mentioned, apparently by the Chicago Daily News, as having been sponsored by Representative FORD for his job in GSA,

which involves specifications for office furniture. It is noted that this apparently is [redacted] of the Furniture and Furnishings Branch of the Standardization Division of the Federal Supply Service, who is so listed in the GSA directory.

[redacted] noted also that he has been advised, again apparently by the Chicago Daily News, that a [redacted] [redacted], whose office was in the building at 300 South Wacker Drive, had been rumored to have been picked by Representative FORD. [redacted] reportedly no longer works for the United States Government, but was working for OEO when the Steel Case furniture was ordered for that building.

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[redacted] instructed his auditors and investigators to be particularly alert for: (1) instances where GSA personnel have placed orders for Steel Case Company furniture under Federal supply schedule contracts where it is normal for the Federal agency, not GSA, to place the orders; (2) instances where the orders exceed the maximum limitation permitted for the particular item (where the order exceeds that figure, the regulations require placing the item on competitive bids); (3) details concerning the utilization of furniture contract forms for purchases "only for educational institutions," which were apparently used for ordering Steel Case furniture for the building at 300 South Wacker Drive.

[redacted] stated that to his knowledge Representative FORD is not involved in any irregularities involving procurement from the Steel Case Company. [redacted] believes the Chicago Daily News has a great deal of circumstantial evidence, but no proof of wrong-doing by FORD. His opinion, however, could be changed if his inquiry developed additional information. The preliminary review of GSA records has indicated that Representative FORD has made very few inquiries concerning Steel Case Company contracts, and has not exerted any high pressure in this connection. He does not know how long a full investigation will take, but will know more after he receives the preliminary report from his auditors and investigators. He does not know whether the Chicago Daily News is going to publish a story on the matter, but has given that paper assurances he will not make a news release without advising them. He noted that the Chicago Daily News has heard a rumor that Representative FORD is well acquainted with the owners of the Steel Case Company, but he has no personal knowledge in this regard.

WFO 161-9324

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[] will advise SA DONEGAN if the above-mentioned inquiry by his auditors and investigators discloses anything pertinent concerning Representative FORD.

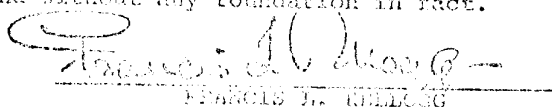
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FRANCIS H. KELLOGG, being duly sworn, deposes and
says:

I am familiar with the book entitled "The
Washington Pay-Off" written by Robert N. Winter-Berger and
published by Lyle Stuart, Inc. and with the account in that
book concerning two alleged meetings between me and Waller
Taylor, Esq. at which Winter-Berger states he was present.

I have only met Mr. Taylor on one occasion for a
period of approximately ten or fifteen minutes. Winter-
Berger was present at that meeting. There was no second
meeting with Mr. Taylor, either with or without Winter-
Berger.

Mr. Taylor has never asked me for money for any
purpose, either at my one meeting with him, or otherwise.
I have never given Mr. Taylor any money, either in bills
or otherwise, for any purpose, either at my one meeting with
him or at any other time or place. Winter-Berger's state-
ments to the effect that I gave Mr. Taylor any money are
totally false and without any foundation in fact.


FRANCIS H. KELLOGG

Sworn to before me this
12 day of October, 1972.

Notary Public

My Commission Expires
September 1, 1973

GERALD R. FORD
FIFTH DISTRICT, MICHIGAN

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DATE 03-07-2008 BY 60324/UC/BAW/STP/bls

MICHIGAN OFFICE
425 CHURCH STREET S.E.
GRAND RAPIDS
ZIP 49503

Congress of the United States
Office of the Minority Leader
House of Representatives
Washington, D.C. 20515

4-1-8

March 12, 1970

The Honorable William P. Rogers
The Secretary of State
2201 C Street
Washington, D. C. 20520

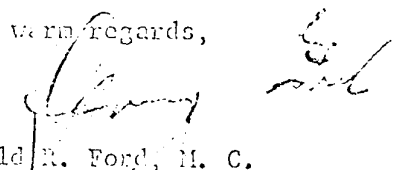
Dear Bill:

May I personally commend Mr. Francis L. Kellogg, President of International Mining Corporation of New York, for the position of Special Assistant to the Secretary for Refugees and Migration.

Frank Kellogg has a distinguished record which includes active participation in the International Rescue Committee and the American Immigration and Citizenship Conference. He recently served as a U. S. delegate to a UNESCO conference in Morocco, and I understand acquitted himself well.

Furthermore, Mr. Kellogg has been most helpful to our Republican cause. Early in this Administration I recommended him to the White House for an Ambassadorship or other foreign service appointment. I believe he merits your consideration and will appreciate being kept informed.

With warm regards,


Gerald R. Ford, M. C.

GRF:rs

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March 27, 1970

Honorable Gerald R. Ford
Office of the Minority Leader
House of Representatives
Washington, D. C. 20515

Dear Congressman Ford:

The Secretary has asked me to reply to your letter of March 12 in which you recommended Mr. Francis L. Kellogg for appointment as Special Assistant to the Secretary of State for Refugee and Migration Affairs.

Mr. Kellogg, whose excellent qualifications are well and favorably known to us, is under active consideration for the position you discussed. He has received preliminary screening and is scheduled for an interview with ranking officials of the Department on April 29. I want to assure you that he will continue to be given every consideration.

We are grateful for your interest in the case.

Sincerely,

H. G. Torbert, Jr.
Acting Assistant Secretary
for Congressional Relations

cc: U -

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Clearances:

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United States Senate

WASHINGTON, D.C. 20510

September 18, 1969

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Mr. Peter M. Flanigan
Assistant to the President
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Flanigan:

It is my understanding that Mr. Francis L. Kellogg is under consideration for appointment as United States Representative to the United Nations Trusteeship Council.

Mr. Kellogg has had long and varied business experience in some of our nation's leading corporations. Additionally, he has been intimately involved in the international operations of business organizations and humanitarian, charitable and conservation groups. His extensive knowledge of international economics and the nuances of diplomacy are readily apparent to those who have the good fortune to know him.

He is vitally concerned with good government. He has long been active in the affairs of the Republican Party at the local, state and national levels. In the latter regard, he performed diligent service during the 1968 Presidential campaign.

May I commend to your most serious consideration Mr. Kellogg's appointment and urge most strongly your favorable action.

Very truly yours,



Charles E. Goodell

CEG:gr

THE WHITE HOUSE

WASHINGTON

October 8, 1969

Dear Senator Goodell:

Many thanks for your letter of September 18 in which you recommend Francis L. Kellogg for the position of United States Representative to the United Nations Trusteeship Council. Please be assured that he is receiving very careful consideration for the post which he desires.

With best regards and again, thanks for your assistance,

Sincerely,

Peter M. Flanigan
Assistant to the
President

Honorable Charles E. Goodell
United States Senate
Washington, D. C. 20510

cc: ✓ [redacted] State Dept., w/incoming
[redacted] w/incoming

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United States Senate

WASHINGTON, D.C. 20510

May 6, 1970

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The Honorable
Elliot Lee Richardson
Under Secretary of State
Department of State
Washington, D. C.

Dear Elliot:

I understand that Francis Kellogg is under consideration for the post of Special Assistant to the Secretary for Refugee and Migration Affairs.

I am delighted to hear of this possibility and wanted to once again affirm what a very fine man is Fran Kellogg.

I have known him for more than 30 years and have always found his intelligence and character of the highest order. And, I believe he would prove a very real credit to you and the Department of State.

With every good wish, I am

Ever sincerely,



Claiborne Pell

May 12, 1970

Dear Claiborne:

Thank you for your letter of May 6, 1970 recommending Francis Kellogg for the position of Special Assistant to the Secretary for Refugee and Migration Affairs. It was helpful to have your personal endorsement of him.

Bill Macomber, Alex Johnson and I have all talked to Kellogg quite recently. As soon as we are able to get together and compare notes, I think that we can reach a final decision on this matter, and we shall be sure to inform you when the issue is resolved. In the interim, let me assure you that Mr. Kellogg will receive the serious consideration for this position merited by his credentials.

With warm regard,

Sincerely,

Elliot L. Richardson

The Honorable
Claiborne Pell,
United States Senate,
Washington, D.C.



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

S

January 14, 1970

1379

Honorable William P. Rogers
Secretary of State
U. S. Department of State
Washington, D.C. 20520

Dear Bill:

I'm told that Frank Kellogg, President of International Mining Corporation, is interested in becoming your Special Assistant for Refugees and Migration.

I want to add my enthusiastic recommendation to the others you have for Frank.

If you desire that we expand on his background and qualifications, I will be glad to discuss this matter with you personally. Otherwise, my assistant, [REDACTED], will fill your people in on the details.

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Sincerely,

Murray
Secretary of Commerce

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COPIES

S/S to:

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O/DG

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S/S-RF

THE SECRETARY OF STATE

WASHINGTON

February 7, 1970

Dear Maury:

Thank you for your letter of January 14 recommending Frank Kellogg for the position of Special Assistant for Refugees and Migration Affairs in the Department.

Mr. Kellogg's excellent credentials are well known to us and we have discussed his interests with him. I hope very much that we will be able to take advantage of his qualifications in an appropriate job whether it be the one in Refugee and Migration Affairs or in some other position.

With best personal regards,

Sincerely,



William P. Rogers

The Honorable
Maurice Stans,
Secretary of Commerce.

Revised in S/S-S: 2/5/70

O/DG: pr 2/2/70

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WILLIAM ATTWOOD
EDITOR IN CHIEF

February 13, 1969

Dr. Henry A. Kissinger
The White House
Washington, D. C.

Dear Dr. Kissinger:

You may recall our editorial collaboration some years ago with Emmet Hughes in connection with the Rockefeller Brothers reports. This brief note has nothing to do with editorial matters but to call your attention to the attached resume of an old friend whose name may be under consideration for an ambassadorship -- hopefully to Kenya.

As a former Ambassador for more than five years, I know something of the role of the White House in their selection. And having served in Kenya, I have a special interest in doing what I can -- even as an uninfluential Democrat -- to make sure that this post is filled by someone I consider very well qualified for a job at which I labored long and hard.

Francis Kellogg happens to be a Republican and would therefore be acceptable as a political appointee. I think his professional background, his experience in the business world, his personality, and his own and his wife's long-standing interest in Africa, are all valuable and unusual assets for this particular post -- and I do hope he'll be given serious consideration when the time comes to replace the present Democratic political appointee in Kenya.

Meanwhile, my congratulations to you not only for being offered your present job -- but for accepting it. I can remember how much overtime Mac Bundy and Walt Rostow had to put in!

Sincerely,

Bill Attwood

WA:b

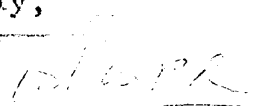
February 19, 1969

Dear Mr. Attwood:

Dr. Kissinger has brought to my attention your February 13 letter addressed to him which, accompanied by a resume, strongly recommended Mr. Francis Kellogg as Ambassador to Kenya.

I appreciate your comments on Mr. Kellogg's qualifications and I will be sure that they are given full consideration.

Sincerely,


William P. Rogers

The Honorable
William Attwood
Cowles Communications, Inc.
488 Madison Avenue,
New York, New York 10022

U/EWGallagher/yt

1008
(K)
Kenya
FRANCIS KELLOGG



THE UNDER SECRETARY OF THE INTERIOR

WASHINGTON

February 7, 1969

ELC- / ym / WBA

Dear Elliot:

The enclosed letter from my good friend, Frank Kellogg, is self-explanatory. Frank is an exceedingly able and attractive individual who, I am sure, would represent this country with distinction.

Frank is President of the International Mining Corporation, a very active company. He has had a great deal of business experience and, as his letter indicates, has had numerous contacts with Kenya.

I am taking the liberty of providing for your information a copy of a biography of Frank which he made available to me.

I have gone into this matter carefully here at Interior and there simply does not seem to be an appropriate opportunity for Frank. I know that he was a very substantial supporter of the President, and the Party generally, in the last election. However, I believe that he is entitled to very careful consideration on his personal merits alone.

It was great to see you and Anne the other evening.

With warmest personal regards,

Sincerely yours,

R. E. Train
Russell E. Train

The Honorable
Elliot L. Richardson
Under Secretary of State
2201 C Street, N. W.
Washington, D. C. 20520

Jack Anderson and Les Whitten

Ford: Charges, Denials

A former lobbyist has sworn to the Senate Rules Committee that he "loaned" vice presidential nominee Gerald Ford \$15,000 to cover urgent personal needs. The loan, said lobbyist Robert Winter-Berger, was never paid.

In addition, said Winter-Berger, at Ford's request he arranged contributions totaling more than \$125,000 to various Republican campaign committees.

The ex-lobbyist, author of a book called "The Washington Pay-Off," went well beyond his literary recollections in a four-page affidavit which he has given to the committee and to us. Winter-Berger said he will submit to a lie-detector test if necessary. Ford, however, denied the charges and, through a spokesman, told us Winter-Berger's charges about a loan of \$15,000 was "a categorical lie." Ford also emphatically denied arranging any \$125,000 in contributions.

In his affidavit Winter-Berger stated: "Between 1966 and September of 1969, I personally loaned Gerald Ford in the neighborhood of \$15,000. . . This money was given to Ford in cash to cover an illness and hospitalization of his wife. . . . At other times he complained that he was short of money."

Winter-Berger swore that the loans were made in "amounts of \$50 to about \$250" over the three-year period. He did not ask repayment, and Ford never

stating, "I wouldn't be so crude as to enter into a quid pro quo arrangement of that kind."

In the affidavit, Winter-Berger also dealt fully for the first time with his recollection of Ford's visit to New York psychotherapist Dr. Arnold Hutschnecker, who once counseled Richard Nixon. Ford has insisted to us he saw Hutschnecker for only 15 minutes, and never visited with him again. But Winter-Berger's affidavit takes issue: "I went into Dr. Hutschnecker's office and introduced him to Gerald Ford," the affidavit said. Winter-Berger maintained he walked a half-block to his own home and prepared "my own lunch which consisted of a hamburger which was broiled in a preheated oven. This took me approximately 40 minutes."

Winter-Berger then went back and waited in a rented limousine for Ford for 10 to 15 minutes, meaning that "Ford was with Hutschnecker for more than an hour." Winter-Berger swore that "about eight or nine months later" Hutschnecker told him he had met with Ford again and that Ford later confirmed this subsequent meeting to Winter-Berger.

Winter-Berger recounts that when he first recommended Hutschnecker to Ford, the lobbyist also mentioned that President Nixon had seen the doctor. "About 10 days later," swore Winter-Berger, "much to my surprise, (Ford) brought it up and said he had asked Dick (Nixon) and that Dick said he was a very good doctor."

FEDERAL BUREAU OF INVESTIGATION

ORIGINATING OFFICE DETROIT	OFFICE OF ORIGIN BUREAU	DATE 10/31/73	INVESTIGATIVE PERIOD 10/31/73
TITLE OF CASE GERALD RUDOLPH FORD		REPORT MADE BY SA [REDACTED]	TYPED BY clc
		CHARACTER OF CASE SPIN	

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DATE 03-07-2008 BY 60324/UC/BAW/STP/bls

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- P -

#1

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACCOUNT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
IN VIC.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>[Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 1.5em;">161-9896</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; font-size: 1.5em;">224</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">NOT RECORDED</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">3 DEC 13 1973</div>
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Copyfiled in Bulby and RP

Dissemination Record of Attached Report				Remarks
Copy	1-W. N. 3. A. 1. A. 7			
Not Recd.				

53 DEC 19 1973

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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DATE 03-07-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of: SA [REDACTED] Office: Detroit, Michigan
Date: October 31, 1973
Field Office File #: 161-1355 Bureau File #: 161-9896
Title: GERALD RUDDOLPH FORD

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Character: SPECIAL INQUIRY

Synopsis: Schedule of appointee's business income
between the years 1963 and 1972 set forth.

- P -

DETAILS:

DE 161-1355
MWK/clc - 1

The following schedule was obtained from a review of
GERALD R. FORD's financial records by SA [redacted] as
provided by ROBERT J. MC BAIN, SR., Certified Public Accountant:

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GERALD R. FORD
Business Income
Years Ended 1963-1972

<u>Years</u>	<u>Honorariums</u>	<u>Law Practice Income</u>	<u>Director Fees</u>	<u>Miscellaneous</u>	<u>Total Business Income</u>
1972	\$18,079.82				\$18,079.82
1971	22,240.00				22,240.00
1970	47,125.00	\$100.00			47,225.00
1969	28,966.75	300.00		\$43.90	29,310.65
1968	30,037.21	1835.00	\$1,300.00		33,172.21
1967	32,883.33	2235.00	1,200.00		36,318.33
1966	21,180.88	2236.00	1,200.00		24,616.88
1965	19,390.00	3145.00	1,200.00		23,735.00
1964	6,299.22	14,650.00	300.00		21,249.22
1963	4,650.87	4000.00			8,650.87

Transmit attached by Facsimile - ~~FEDERAL BUREAU OF INVESTIGATION~~
COMMUNICATIONS SECTION

Priority URGENT

OCT 3 11973

To: WASHINGTON D.C.

Date: 10/31/73

From: DETROIT (161-1355)

TELETYPE

Time Transmitted -

Subject: GERALD RUDOLPH FORD

Received -

- ☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☒ Other FD-262
☐ (6 min) ☐ (4 min)

Special handling instructions:

ATTN: ORVIS J. AVERSWALD ROOM 1258

Approved: _____

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Will continue efforts to locate and interview [redacted]

3 DEC 19 1973

DE 161-1355

ADMINISTRATIVE:

Investigative period of this report overlaps referenced report to include material not available at time of submission of referenced report.

Exhaustive efforts have been made at Detroit since October 25, 1973, to locate and interview [REDACTED]. These efforts to date have been negative. All logical state offices have been contacted and no state employee named [REDACTED] has been located. Detroit is presently awaiting WFO's re-interview of [REDACTED] and when results of this interview are furnished further efforts to locate [REDACTED] will be made.

- B* -
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of: SA [REDACTED] Office: Detroit, Michigan
Date: October 31, 1973
Field Office File #: 161-1355 Bureau File #:
Title: GERALD RUDOLPH FORD

b6
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Character: SPECIAL INQUIRY

Synopsis: ROBERT J. MC BAIN, Certified Public Accountant,
interviewed and advised that 5th District Checking
Account used by appointee for receipt of expense
money in connection with speeches and for payment
of expenses in same connection.

- P -

DETAILS:

The following investigation was conducted by SA [redacted], at Grand Rapids, Michigan, on October 30, 1973:

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ROBERT J. MC BAIN, SR., Certified Public Accountant, 435 Old Kent Bank Building, Grand Rapids, Michigan, advised that as the accountant for Congressman GERALD R. FORD, he is familiar with an account maintained by Mr. FORD at the Union Bank and Trust Company, Grand Rapids, which is known as the 5th District Account. He advised that this checking account is handled entirely by Mr. FORD or his staff in Washington, D. C., and that no records of the account are maintained or reviewed by the accounting firm in Grand Rapids. He said, however, that within the past several days, Mr. FORD has forwarded to his office in Grand Rapids all of the records of this account for review by the Internal Revenue Service. He said that he has had an opportunity to make a review of these records for the first time, prior to turning them over to the Internal Revenue Service.

Mr. MC BAIN advised that this account is used by Mr. FORD for political costs and expenses between campaigns, and that monies going into this account derive from expenses and honorariums received by Mr. FORD from appearances throughout the country. These sums would include his expenses for the trip, and the sum paid for his speech. The honorarium is then transferred by check from this account to a personal account of the Congressman, and subsequently reported as income. The amount received as expenses would remain in the account to be used to draw upon as expenses for the next appearance.

Mr. MC BAIN explained that it apparently was customary for Mr. FORD to purchase his airplane tickets from this account, as well as withdrawing from \$30 to \$50 in advance of a trip, and that he would be repaid these expenses at the time of the appearance, along with the honorarium for the appearance, the total being placed in the account as described above. He said that the average balance in the account would be no more than several hundred dollars.

DE 161-1355

JMS/clc - 2

Mr. MC BAIN advised that while he has no knowledge of the details of the account previously, he has always received from Congressman FORD the total of the honorariums each year, which have always been reported as income to Mr. FORD on his various tax returns. He said that his firm has handled no matters relating to the expenses which were placed into, and withdrawn from the account, and could not state how the expense income would have been handled should the question have arisen. He advised that he probably would have suggested that the amount received as expenses be reported as gross income on the tax returns, but he pointed out that even if it had been reported as income, the same amount, that which was paid by the Congressman, would have been set off against the expenses received, resulting in no taxable income.

Mr. MC BAIN said that these records are at the present time, being audited by IRS Agent [redacted] of the Detroit Office of the IRS.

b6
b7c

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LOS ANGELES	OFFICE OF ORIGIN BUREAU	DATE 10/31/73	INVESTIGATIVE PERIOD 10/31/73
TITLE OF CASE GERALD RUDOLPH FORD, aka Gerald Rudolph Ford, Jr. Leslie King, Jr.		REPORT MADE BY <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	TYPED BY plf
		CHARACTER OF CASE SPECIAL INQUIRY	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

b6
b7c

REFERENCE: Bureau telcall to Los Angeles 10/31/73.

- RUC -

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	AGENCY TAGS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED *Signed [Signature]*

SPECIAL AGENT
IN CHARGE

COPIES MADE:

6 - Bureau (161-9896)

1 - Los Angeles (161-2471)

1 Copy filed in Bulky Encl. [Signature]

DO NOT WRITE IN SPACES BELOW

NOT RECORDED

3 DEC 18 1973

Dissemination Record of Attached Report				Notations
AGENCY	1-W. Name	3-Act Ag.		
Request Recd.				<i>[Signature]</i>
Date Fwd.	11-2-73	11-2-73		
How Fwd.	Letter	Letter		
By				

3 DEC 19 1973

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

[REDACTED]

Office: Los Angeles, California

Date:

10/31/73

Field Office File #: 161-2471

Source File #: 161-9896

Title: GERALD RUDOLPH FORD

Character: SPECIAL INQUIRY

Synopsis: Reinterview with Colonel EARL HENRY BLAIR set forth.

- RUC -

b6
b7c

LA 161-2471

DETAILS:

On October 31, 1973, Colonel EARL HENRY BLAİK was reinterviewed at his residence, 73-165 Fiddleneck Lane, Palm Desert, California, at which time he advised that he occupied the hotel room of FRED BLACK at the Carlton-Sheraton Hotel in Washington, D.C. sometime in 1964. While staying there he could only recall making one telephone call from this room to the appointee for the purpose of making an appointment to see the appointee regarding the VRC contract that Avco Corporation had lost to the Motorola Corporation. BLAİK said he is a personal friend of the appointee and always calls him "JERRY". BLAİK pointed out that he knows only one JERRY and that any time he referred to a JERRY in his conversation and particularly in the phone call from BLACK's room he was talking or referring to the appointee.

Colonel BLAİK advised that there was no one else in the room that he could recall in which there was any conversation regarding anyone named JERRY and he cannot recall even having anyone in this hotel room at the time in question. BLAİK could not identify any person he has known having a name similar to [redacted] and said the only person he knows named WILSON would be a Congressman WILSON who was a Republican from the State of Indiana, who opposed the Avco production of the VRC. In BLAİK's opinion Congressman WILSON was a despicable person and occasionally leaked information to a reporter with the Chicago Daily News who was a friend of WILSON's. He never had any personal contact with WILSON to his present recollection and WILSON's name did not come into any conversation that he had on the phone with the appointee.

b6
b7C

Colonel BLAİK advised that due to the passage of time his recollection is limited, but he is furnishing all the information concerning this matter to the best of his ability.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland *[initials]*

FROM : A. A. Staffeld, Jr. *[initials]*

SUBJECT: GERALD RUDOLPH FORD
SPECIAL INQUIRY

DATE: October 31, 1973

[Handwritten signature: "you of [unclear]"]

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

[Handwritten signature: "C. A. C."]

It is noted that Senator Cannon received an anonymous letter with reference to Mr. Ford alleging among other things that the Bureau maintained extensive electronic surveillance of Fred B. Black which resulted in thousands of hours of conversations being intercepted and revealing numerous contacts between Fred B. Black and Congressman Ford.

It is noted that we have previously interviewed Mr. Ford and he has denied knowing Black. The logs for the electronic surveillance maintained on Black's suite in the Sheraton-Carlton Hotel during the period February 8, 1963, to April 25, 1963, revealed only one brief conversation which can be established as being between Mr. Black and Congressman Ford.

Contrary to the allegation that we had thousands of hours of recordings, it is also to be noted that a survey of the actual logs maintained by the Washington Field Office reveals that during the 77 days this source was operative our monitoring period totaled 1375 1/4 hours.

ACTION:

For record purposes.

- 1 - Mr. Cleveland
- 1 - Mr. Coleman
- 1 - Mr. Bruggeman
- 1 - 92-6170 (Fred B. Black file)

AAS:dlb
-5-

[Handwritten: "WAC"]

[Handwritten: "161-16-16-227"]

NOT RECORDED

3 DEC 10 1973

[Handwritten signature: "J. A."]

53 DEC 19 1973

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland

DATE: 10-31-73

FROM : O. E. Coleman

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. ☒ _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

You were advised by Patrick McSweeney, Deputy Assistant Attorney General, Office of Legislative Affairs, this morning of a request made of the Department by Howard W. Cannon, Chairman of the Senate Committee on Rules and Administration, in connection with the investigation of Ford. He requested copies of transcripts or any other available information concerning data obtained from the microphone surveillance on the suite of Fred B. Black, Jr., at the Sheraton-Carlton Hotel from 2-7-63 to 4-25-63. It will be recalled that Earl (Red) Blaik telephonically contacted Ford's office from Black's suite and spoke with "Jerry" on 4-23-63. This has been mentioned numerous times in Jack Anderson's columns. Mr. McSweeney was advised the Bureau has 23 summary airtels which contain all pertinent information obtained from this microphone surveillance. He advised that the Department desired this material be made available to Senator Cannon for his review in connection with the investigation of Ford.

At 12:15 p.m. today, Special Agents Orvis J. Auerswald and [redacted] accompanied Mr. McSweeney to Senator Cannon's office. He was shown two of the airtels containing the results of the microphone surveillance on Black's suite, one of which related to Ford. The other referred to "Jerry." The conversation between Blaik and Ford related to an FBI investigation at the Crosley Plant in Cincinnati, Ohio, a subsidiary of the AVCO Corporation, at which the Bureau was conducting a fraud against the Government investigation. Blaik was associated with the AVCO Corporation. Senator Cannon read these airtels and perused the other 21 airtels. He indicated he was satisfied with the information furnished him.

1 - Mr. Callahan
1 - Mr. Mintz
1 - Mr. Franck
1 - Mr. Bowers

1 - Mr. Cleveland
1 - Mr. Coleman
1 - [redacted]
1 - Mr. Auerswald

REC-86

NOT RECORDED

3 DEC 10 1973

OJA:GEB:dc

-9-

CONTINUED - OVER

53 DEC 10 1973

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

From approximately 1:30 p.m. to 2:30 p.m., Senator Cannon reviewed the reports containing the results of additional investigation conducted concerning Ford since his prior review on 10-26-73 and 10-29-73. Included in the material are reports containing the results of interviews with Ford and Blaik pertaining to their prior conversations regarding difficulties experienced by the AVCO Corporation. Ford advised he had made inquiries of the Department of Defense concerning AVCO contracts at the request of Blaik, but denied he had any influence in connection with AVCO Corporation contracts. He denied any association with Fred B. Black, Jr. Blaik recalled a contract obtained by the Motorola Corporation in 1963 in which they had underbid the AVCO Corporation. He said AVCO Corporation executives were of the opinion the bid by the Motorola Corporation was so low, it would be necessary to later submit manufacturing overruns to the Department of Defense. He said he contacted Ford, who was the ranking minority member of the Military Appropriations Committee, to have him maintain contact with the Department of Defense concerning the performance of the Motorola Corporation on this contract. He recalled having called Ford from Black's hotel room to tell him he wanted to talk about this contract.

Senator Cannon mentioned he has obtained information that [REDACTED]

[REDACTED] has been under psychiatric treatment by [REDACTED]. He said the psychiatrist had described [REDACTED] as a flagrant homosexual. Senator Cannon said he has also received information that a consent judgment in the amount of \$5800 had been obtained against [REDACTED] in 1963.

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b7D

RECOMMENDATION: For information.

Doc.
11/7
[Signature]
[Signature]
has
NVC
[Signature]

1 - Mr. Callahan
1 - Mr. Bowers
1 - Mr. Franck
The Acting Attorney General 1 - Mr. Cleveland October 31, 1973
1 - Mr. Coleman
1 - Mr. Auerswald
Director, FBI

GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

Reference is made to my memoranda dated October 19, 1973, and October 24, 1973, furnishing the partial results of investigation concerning Gerald Rudolph Ford, United States Representative from Michigan. Enclosed are three copies of the results of additional investigation concerning Representative Ford, the results of which are also being furnished to General Alexander M. Haig, Jr., at The White House.

Summarizing generally, we have now interviewed over 80 additional individuals concerning Representative Ford as well as concerning allegations which have arisen during the investigation. The interviews with persons acquainted with Representative Ford were generally favorable.

Representative John Conyers, Jr., of Michigan, a member of the House Committee on the Judiciary, advised he is withholding all comment concerning Representative Ford pending the confirmation proceedings before the House Committee on the Judiciary.

[redacted] has
advised that he has been [redacted]
[redacted]

b6
b7c

soc. Dir. _____
st. Dir. _____
admin. _____
comp. Syst. _____
ext. Affairs _____
files & Com. _____
gen. Inv. _____
ident. _____
inspection _____
intell. _____
laboratory _____
plan. & Eval. _____
spec. Inv. _____
training _____
reg. Comm. _____
sl. Comm. _____
director Sec'y _____

DHY:OJA:dc
-9-

*Delivered to Sup and AG
10/31/73*

53 DEC 19 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

166-9840-229
NOT RECORDED
3 DEC 19 1973

The Acting Attorney General

You were previously furnished information regarding a rumor to the effect that Representative Ford allegedly, while in China as a member of an official United States delegation in 1972, made arrangements for the exclusive rights to certain Red Chinese products for sale in the United States. Additional inquiries have been made of individuals reportedly in possession of pertinent information and no one interviewed was able to furnish any information to connect Representative Ford with any such activity.

You were advised that we were locating Mr. Robert Winter-Berger, a former Washington lobbyist, for interview concerning allegations he has made regarding Representative Ford in a book entitled "The Washington Pay-Off" published in 1972. Upon being located, Mr. Winter-Berger made two appointments for interview but cancelled them and refused to be interviewed. He stated that he had been in contact with various Congressmen concerning Representative Ford's nomination, had furnished an affidavit to one of the committees, and contemplated being called as a witness. His refusal to be interviewed, he claimed, was based on his desire to furnish pertinent information concerning Representative Ford only once.

Mr. Winter-Berger, in his book, made an allegation that one Francis Kellogg made contributions through Representative Ford to the Republican Party in order to be appointed United States Ambassador to Kenya. He said Mr. Kellogg never received such an appointment but did receive a position in the Department of State. Representative Ford was interviewed concerning this matter and denied the allegation. Mr. Frank L. Kellogg, Special Assistant to the Secretary of State for Refugee and Migration Affairs, has been initially interviewed and has denied the allegation. He will be again interviewed when he obtains some material from his private papers that he desires to review.

Inquiries concerning Representative Ford's finances have been substantially completed and nothing improper has been thus far developed. Additional inquiries are being conducted in this regard and you will be advised.

The Acting Attorney General

Allegations have arisen that Representative Ford accepted free air transportation from several commercial companies in Michigan for travel to and from Washington, D. C., and other points. Representative Ford, as well as numerous business executives cognizant of these plane trips, has been interviewed. Representative Ford freely admitted accepting this transportation and business officials have admitted furnishing him with the transportation. However, they stated they see nothing wrong in such activity as there is always plenty of room on the planes and further, no favors have been asked of Representative Ford by them and none have been received in return for the service.

The foregoing should not be considered a complete summary of the results of investigation of Representative Ford to date. It supplements the information in my memoranda dated October 19, 1973, and October 24, 1973, and is set forth to give you a general idea of the results of our investigation. Investigation is continuing, the results of which will be furnished to you as quickly as possible.

Enclosures (3)

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

TO : DIRECTOR, FBI (161-9896)

FROM : *NW/sep* SAC, DETROIT (161-1355) (P)

SUBJECT: GERALD R. FORD
SPIN

DATE: 11/1/73

Enclosed for the Bureau are the working papers and supporting documents prepared by SA(A) ROBERT P. KEEHAN and others in connection with the review of appointee's financial records maintained by his accountant, ROBERT MC BAIN, SR., at Grand Rapids, Michigan.

These papers are being forwarded to the Bureau for future use in connection with inquiries concerning captioned matter.

2 - Bureau (Enc. 1)
2 - Detroit
SLP/clc
(4)

ENCLOSURE

ENCL BEHIND FILE

161-9896-230

NOT RECORDED

3 DEC 13 1973



58 DEC 10 1973

5010-108-01

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

F B I

Date: 11/1/73

Transmit the following in PLAINTEXT
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (161-9896)
SAC, CHICAGO
SAC, SEATTLE

FROM: SAC, WFO (161-9324) (P)

GERALD R. FORD; SPECIAL INQUIRY, BUDED PAST.

RE WFO REPORT, 11/1/73 (NO COPIES CHICAGO, SEATTLE).

THIS CONFIRMS WFO TELEPHONE CONVERSATIONS WITH CHICAGO
AND SEATTLE ON 11/1/73.

FOR INFORMATION SEATTLE, BUREAU REQUESTED TO CONDUCT
EXPEDITE INVESTIGATION REGARDING VICE PRESIDENTIAL APPOINTEE
GERALD R. FORD, BORN 7/14/13, OMAHA, NEBRASKA.

[REDACTED] GENERAL SERVICES ADMINI-
STRATION (GSA), WASHINGTON, D.C., ON 10/31/73 AND 11/1/73
ADVISED THAT INFORMATION WAS RECEIVED FROM CHICAGO DAILY NEWS
OF RUMORS THAT APPOINTEE HAD BEEN INSTRUMENTAL IN THE AWARDING
OF CONTRACTS TO STEEL CASE FURNITURE COMPANY, GRAND RAPIDS,
MICHIGAN, FOR BUILDINGS SUPPLIED AND FURNISHED BY GSA. PRE-

LIMINARY INQUIRY BY GSA INDICATES NOTHING CONCERNING FORD, BUT

- ① - Bureau (Mail)
- 1 - Tickler
- 1 - WFO

RST:mmd
(3)

161-9896-221
NOT RECORDED
3 DEC 1973

b6
b7C
b7D

Approved: m/SCJ
Special Agent in Charge

Sent _____ M Per _____

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)WFO 161-9324
PAGE TWO

DID DISCLOSE SOME IRREGULARITIES IN PROCUREMENT PROCEDURES —
WITHIN GSA. [] HAS ORDERED THOROUGH INVESTIGATION.

b6
b7C
b7D

QUESTIONED PROCEDURES INVOLVE NEW FEDERAL OFFICE BUILDINGS
IN GRAND RAPIDS, MICHIGAN AND CHICAGO, AND A BUILDING USED BY
FEDERAL AGENCIES AT 300 SOUTH WACKER DRIVE, CHICAGO.

[] INVESTIGATION WILL DETERMINE IF CONTRACTING
PROCEDURES GRANTED FAVORITISM TO STEEL CASE FURNITURE COMPANY
OR ANOTHER SUPPLIER.

ACCORDING TO [], CHICAGO DAILY NEWS APPARENTLY INDICATES
FORD SPONSORED [] OF FURNITURE AND FURNISHINGS,
BRANCH OF THE STANDARDIZATION DIVISION OF FEDERAL SUPPLY SERVICE,
IN HIS POSITION. [] DENIES IRREGULARITIES IN CONDUCT OF HIS
OFFICE.

FORD WAS ALSO RUMORED TO HAVE PICKED [] FOR
POSITION. [] OFFICE OF ECONOMIC
OPPORTUNITY (OEO), 300 SOUTH WACKER DRIVE, CHICAGO. []
RESIGNED POSITION MAY, 1973, AND CURRENTLY RESIDES AT []
[] MERCER ISLAND, WASHINGTON. [] WAS
EMPLOYED AT OEO WHEN STEEL CASE FURNITURE ~~COMPANY~~ WAS ORDERED FOR

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)

Via _____
(Priority)

WFO 161-9324
PAGE THREE

WACKER DRIVE BUILDING.

[] REVEALED SOURCE OF HIS INFORMATION FROM CHICAGO

DAILY NEWS AS [] NAMED [] (FNU). []

PREFERS THAT HIS OWN IDENTITY BE PROTECTED DURING INTERVIEW OF

[] BELIEVES INFORMATION AND ALLEGATIONS FROM CHICAGO
DAILY NEWS TO BE CIRCUMSTANTIAL, WITH NO DEFINITE PROOF OF WRONG-
DOING BY FORD. [] HIMSELF HAS NO PROOF OF FORD'S INVOLVEMENT
BY GSA PROCUREMENT IRREGULARITIES ASSOCIATED WITH STEEL CASE
COMPANY.

CHICAGO INTERVIEW [] REGARDING THESE ALLEGATIONS.

DETERMINE ANY INVOLVEMENT OF FORD, PARTICULARLY REGARDING THE
AWARDING GSA CONTRACTS TO STEEL CASE COMPANY AND THE HIRING OF

[] AND []

SEATTLE INTERVIEW [] REGARDING KNOWLEDGE OF ^{FORD} ~~SOURCE~~
AND POSSIBLE ASSOCIATION WITH HIM, PARTICULARLY IN REGARD TO
ABOVE ALLEGATIONS.

BUREAU ADVISES INVESTIGATION BE SUBMITTED EXPEDITIOUSLY
IN NINE COPIES OF REPORT.

b6
b7C
b7D

*Chicago 10/10/70 on Am 10
10/10/70 not to
interview elements
per [] 10/10/70*

*How call
SE 11/17/70*

Approved: _____ Sent _____ M Per _____

Special Agent in Charge

1 - Mr. Callahan
1 - Mr. Bowers
1 - Mr. Franck
1 - Mr. Cleveland
1 - Mr. Coleman
1 - Mr. Auerswald

October 31, 1973

BY LIAISON

General Alexander M. Haig, Jr.
The White House
Washington, D. C.

Dear General Haig:

Reference is made to my letters dated October 19, 1973, and October 24, 1973, which furnished you the partial results of investigation concerning Gerald Rudolph Ford, United States Representative from Michigan. Enclosed herewith are the results of additional investigation concerning Representative Ford, the results of which are also being furnished to the Acting Attorney General.

Summarizing generally, we have now interviewed over 80 additional individuals concerning Representative Ford as well as concerning allegations which have arisen during the investigation. The interviews with persons acquainted with Representative Ford were generally favorable.

Representative John Conyers, Jr., of Michigan, a member of the House Committee on the Judiciary, advised he is withholding all comment concerning Representative Ford pending the confirmation proceedings before the House Committee on the Judiciary.

[redacted] has
advised that he has been [redacted]

b6
b7C

sec. Dir. _____
st. Dir. _____
admin. _____
comp. Syst. _____
ext. Affairs _____
files & Com. _____
gen. Inv. _____
ident. _____
inspection _____
intell. _____
laboratory _____
plan. & Eval. _____
rec. Inv. _____
training _____
ad. Coun. _____
telephone Rm. _____
director Sec'y _____

DHY:OJA:dc

-8-

53 DEC 19 1973

MAIL ROOM ☐ TELETYPE UNIT ☐

NOT RECORDED

DEC 12 1973

General Alexander M. Haig, Jr.

You were previously furnished information regarding a rumor to the effect that Representative Ford allegedly, while in China as a member of an official United States delegation in 1972, made arrangements for the exclusive rights to certain Red Chinese products for sale in the United States. Additional inquiries have been made of individuals reportedly in possession of pertinent information and no one interviewed was able to furnish any information to connect Representative Ford with any such activity.

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General Alexander M. Haig, Jr.

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Sincerely yours,

Clarence M. Kelley
Director

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Transmit attached by Facsimile - ~~PLAINTEXT~~
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Priority URGENT

NOV 0 11973

To: WASHINGTON D.C.

Date: 11/1/73

From: DETROIT (161-1255)

Time Transmitted -

Subject: GERALD RUDOLPH FORD

Received -

TELETYPE

- ☐ Fingerprint Photo ☐ Fingerprint Record ☐ Map ☐ Newspaper clipping ☐ Photograph
☐ Artists Conception ☒ Other _____
☐ (5 min) ☐ (4 min)

Special handling instructions:

ATTN: ORVIC *[Signature]* AVERSWALD ROOM 1258

Approved: _____

2-ENCLOSURE

53 DEC 19 1973

161-9896
161-9896 234
NOT RECORDED

3 DEC 1973
[Signature]

DE 161-1355
MWK/clc - 1

The following information was received from a review
by SA [] of financial records provided by ROBERT E.
MC BAIN, SR., Certified Public Accountant, concerning GERALD R.
FORD's purchase of a condominium in Vail, Colorado:

b6
b7C

OTHER MONEY SOURCES

	<u>DATE</u>	<u>AMOUNT</u>
Sale of Caberfae Land	5/7/69	\$3,500.00
Mutual Ford Paint and Varnish Stock Sale	8/1/69	13,604.25
Savings Account Withdrawal	5/5/70	7,734.37
	TOTAL:	\$24,838.62

BORROWINGS

	<u>DATE</u>	<u>AMOUNT</u>
Sergeant at Arms	2/12/70	\$ 2,000.00
JACK FORD	5/4/70	2,628.38
MIKE FORD	5/4/70	3,709.03
STEVE FORD	5/4/70	1,001.96
SUSAN FORD	5/4/70	963.31
JACK FORD (addition)	5/4/70	140.82
Life Insurance (Mr. FORD's policy)	5/5/70	5,716.72
Life Insurance (Mrs. FORD's policy)	5/11/70	1,128.17
Sergeant at Arms	5/22/70	13,200.00
Sergeant at Arms	9/1/70	2,200.00
Sergeant at Arms	10/1/70	2,200.00
	TOTAL:	\$34,868.39

Total money source for purchase
of Vail property ----- \$59,727.01

ENCLOSURE

161-9876 234

"TREAT AS ORIGINAL"

Transmit attached by Facsimile - **PLAINTEXT** BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

Priority URGENT

To: WASHINGTON D.C.

NOV 0 1 1973

Date: 11/1/73

From: DETROIT (161-1355)

ds
TELETYPE

Time Transmitted -

Subject: GERALD RUDOLPH FORD

Received -

☐ Fingerprint Photo

☐ Fingerprint Record

☐ Map

☐ Newspaper clipping

☐ Photograph

☐ Artists Conception

☒ Other

☐ (5 min)

☐ (4 min)

Special handling instructions:

ATTN: OSVIN J. AVERSWALD ROOM 1258

Approved: _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

170

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland *WLC*

FROM : O. E. Coleman *EE*

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

DATE: 11-1-73

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. *WLC*
Spec. *WLC*
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y *WLC*

Reference is made to my memoranda dated 10-18-73, 10-23-73, and 10-30-73 attached to which were letters to General Haig at The White House and the Department furnishing them the results of our investigation to date concerning Ford. You were advised that the investigation of Ford was continuing.

We have now completed our inquiry concerning Ford's finances and nothing improper on his part has been developed. In particular, details have been secured concerning his so called "5th District account" in Grand Rapids which he utilizes for expenses incurred in the publication of his news letter, clipping service, and trips in connection with his speeches. This account is presently being audited by the Internal Revenue Service according to Ford's accountant in Grand Rapids, Michigan.

Jack Anderson, in his columns, has mentioned that the microphone surveillance of the suite of lobbyist Fred B. Black, Jr., at the Sheraton-Carlton Hotel in Washington, D. C., in 1963 disclosed a conversation between Earl (Red) Blaik, then an AVCO Corporation official, and Ford, in which Blaik requested Ford to intervene in order to block an investigation concerning an AVCO Corporation contract. Blaik, when interviewed, recalled a contract obtained by the Motorola Corporation in 1963, in which that firm had underbid the AVCO Corporation. He said AVCO Corporation executives felt the bid by the Motorola Corporation was so low it would be necessary for them to later submit manufacturing overruns to the Department of Defense. He said he contacted Ford in order to have Ford maintain contact with the Department of Defense with regard to the performance of the Motorola Corporation on this contract.

Encs. *Sent 11-2-73*

1 - Mr. Callahan
1 - Mr. Bowers
1 - Mr. Franck

161-1876-23
1 - Mr. Cleveland
1 - Mr. Coleman NOT RECORDED
1 - Mr. Auerswald *3*

DEC 12 1973

OJA:RLB:DHY:dc

-7-

CONTINUED - OVER

3 DEC 19 1973

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

Blaik recalled having called Ford from Black's hotel room to tell him he wanted to talk about this contract. Ford, in a previous interview, in general corroborated Blaik's version of this matter.

The press, on 10-26-73, reported that John Childers, Legislative Assistant to Senator Charles Percy of Illinois, had prepared a memorandum in which he stated a dairy industry official had been quoted as saying Ford was given money early in 1973 in exchange for help in advancing legislation sought by milk producers. Childers, according to this article, said he received his information in February, 1973, from Dale Schaufelberger, a Greenville, Illinois, farmer and Director of the Agricultural and Dairy Education Political Trust. The article stated Ford flatly denied this allegation. [redacted] has advised that during a conversation with [redacted] at a Lincoln Day meeting in Illinois on 2-12-73, [redacted] mentioned an unspecified amount of money had recently been delivered to Ford. [redacted] stated he never made any statement regarding Ford to [redacted] and has never met, talked to, or written to Gerald Ford.

Robert Winter-Berger, the former lobbyist, has given the Senate Committee an affidavit wherein he states that he loaned Ford \$15,000 over a period of three years from 1966 to 1969 and Ford has never paid him back. He said Ford borrowed the money to pay his wife's medical expenses. Ford categorically denied this, pointing out that he has almost complete coverage with Blue Cross-Blue Shield and it would never be necessary for him to borrow money for such a purpose. Winter-Berger has also alleged that he gave, as Christmas gifts to Ford's staff members, wallets containing \$100 bills. Ford's staff members say he did give them cheap wallets for Christmas but there was no cash in them.

It was previously indicated that Winter-Berger has also alleged that Francis L. Kellogg made contributions through Ford to the Republican Party in return for an ambassadorship. Ford has previously denied this allegation. Kellogg states he was introduced to Ford by Winter-Berger in February, 1969, in connection with his interest in obtaining

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

an ambassadorship. Kellogg stated he never paid any money to Ford in an attempt to secure his assistance in obtaining an ambassadorship. Kellogg stated that the total amount given by him to the Republican Party in 1968 and 1969 was \$28,000 and this was not given through Ford or at his request.

[redacted] the General Services Administration, has advised that information was recently received from the "Chicago Daily News" about rumors that Ford had been instrumental in securing large contracts for a Grand Rapids, Michigan, furniture company in connection with buildings supplied and furnished by the General Services Administration. He said a preliminary inquiry made by the General Services Administration disclosed nothing concerning Ford but did disclose some apparent irregularities in procurement procedures. The General Services Administration is presently conducting an investigation with regard to possible irregularities in procurement procedures pertaining to two office buildings in Chicago, Illinois, and one office building in Grand Rapids, Michigan. We are making further inquiries to determine any connection Ford may have with this matter.

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We also still have pending several interviews developed as late leads.

ACTION:

Attached are letters to General Haig at The White House and to the Acting Attorney General transmitting the results of our additional investigation to them. Two extra copies are being furnished to the Acting Attorney General. Our investigation is continuing.

RUB

[Handwritten signature]

WVC
[Handwritten signature]

[Handwritten signature]

-K-

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland

FROM : O. E. Coleman *EEC*

SUBJECT: GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

DATE: 11/1/73

Assoc. Dir. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs *OK*
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

OK

amended

Reference is made to my prior memoranda concerning the review of our reports of investigation of Mr. Ford by Senator Howard W. Cannon, Chairman of the Senate Committee on Rules and Administration.

On October 30, 1973, Senator Marlow W. Cook (Rep.), Kentucky, ranking minority member of the Senate Committee on Rules and Administration, began his review of the Bureau's reports on Mr. Ford. He completed his review on October 31, 1973. During these two days the review was conducted in the presence of SA Robert L. Bruggeman and alternately Departmental representatives Patrick McSweeney, Deputy Assistant Attorney General, Office of Legislative Affairs, Vincent McCarthy, Attorney, Executive Office for U. S. Attorneys, and John Duffner, Executive Assistant to the Deputy Attorney General. The Departmental representatives were the custodians of the Bureau report and SA Bruggeman assisted Senator Cook when asked by him to locate information in the report.

On the afternoon of October 30, 1973, Senator Cook asked the Departmental representative, Mr. McCarthy, if the Bureau's report would be available during the hearings regarding Mr. Ford, if necessary, for reference purposes and he was advised by Mr. McCarthy after he checked with Mr. McSweeney that the Bureau's reports would be available for reference purposes.

On the afternoon of October 31, 1973, Senator Cook advised he had been informed by Senator Cannon of the results of his (Senator Cannon's) review of the summary of the logs in the Fred B. Black case wherein Representative Ford was mentioned in connection with a call by Earl Blaik regarding an investigation of the AVCO Corporation. He said he did not desire to review these summaries of logs himself.

NOT RECORDED

1 - Mr. Mintz
1 - Mr. Franck
1 - Mr. Bowers
1 - Mr. Callahan

1 - Mr. Cleveland
1 - Mr. Coleman
1 - Mr. Bruggeman
1 - Mr. Auerswald

53 DEC 19 1973

RLB:pjm
(9)

CONTINUED - OVER

98

Memorandum to Mr. Cleveland
Re: Gerald Rudolph Ford

On the morning of October 31, 1973, Senator Cook was photographed reading the Bureau's report by a photographer from a weekly newspaper believed to be in Kentucky. Senator Cook went through the entire report, page by page, and made some notes from the report.

ACTION:

For information and record purposes.

RUB

WIC

oas

ms

21

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 11/1/73	INVESTIGATIVE PERIOD 10/31/73 - 11/1/73
TITLE OF CASE GERALD RUDOLPH FORD, aka Gerald Rudolph Ford, Jr., Leslie King, Jr.		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY rst
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SPI	

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REFERENCE: WFO report of SA , dated 10/31/73.

- P -

LEADS: WASHINGTON FIELD -

Will re-interview FORD regarding involvement with Steel Case Furniture Company, GSA contracts, and knowledge of contribution from Seafarers Union.

Will report records pertaining to private bills sponsored by FORD.

Will re-interview for further comments.

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ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <i>M/SCS</i>					SPECIAL AGENT IN CHARGE	
COPIES MADE: <i>(3 copies destroyed)</i> ENCLOSURE 9- Bureau (161-9896) (Encl. 18) 1- WFO (161-9324)					DO NOT WRITE IN SPACES BELOW 161-9896-237 NOT RECORDED 3 DEC 13 1973	
Dissemination Record of Attached Report					Notations <i>Spec. Inf.</i>	
Agency	1- WFO (161-9896) with Encl.					
Request Recd.						
Date Fwd.	11-2-73 11-2-73					
How Fwd.	Spec. Inf.					
By	O.A.A.					

53 DEC 19 1973

COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

Date:

November 1, 1973.

Office: Washington, D.C.

Field Office File #: 161-9324

Bureau File #: 161-9896

Title:

GERALD RUDOLPH FORD

Character:

SPECIAL INQUIRY

Synopsis:

Comments of [] set forth. No record of
Seafarers Union Fund contribution found.

- P -

ENCLOSURES:

One (1) copy of Gannett News Service article, dated
October 26, 1973, by JACK W. GERMOND and PETER BEHR,
entitled, "Memo Links Ford to Illegal Cash."

One (1) copy of article by JAMES R. POLK, entitled
"Ford Ready for Full Probe", dated October 14, 1973,
appearing in Washington Star-News.

[redacted]
On October 31, 1973, [redacted]
[redacted] to Senator CHARLES H. PERCY (Illinois), furnished
the following information to SA RICHARD T. TAYLOR, JR.:

[redacted] has been a Member of Senator PERCY's
staff since 1969. His primary duties are those of [redacted]
[redacted] matters. In this regard, he
and Senator PERCY visited Springfield, Illinois, on **February 12,**
1973, where the Senator was a guest speaker at Lincoln Day
activities there. Following the speech, Senator PERCY
and [redacted] met with members of the Dairy Industry at
Springfield, among whom was [redacted] and
problems relating to dairy support prices were discussed.
At the conclusion of the meeting and immediately prior to
departing Springfield Airport, [redacted] and [redacted]
engaged in pleasantries and light talk for approximately
two or three minutes. At that time, [redacted]
mentioned that an unspecified amount of money had recently
been delivered to Representative GERALD R. FORD. Senator
PERCY was not within earshot of this conversation. [redacted]
[redacted] did not specify or indicate that any other
members of Congress were to be recipients of the money allegedly
recently delivered to Representative FORD.

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Following the departure from Springfield, no mention
of the foregoing incident was made by [redacted] to Senator
PERCY or to any other members of the Senator's staff.

On October 13, 1973, the day following President
NIXON's announcement of his choice of Representative FORD as
his nominee for Vice-President, [redacted] mentioned his
brief discussion to Senator PERCY. He and the Senator
concluded that, although the information is most likely
second or third-hand hearsay, it would be nonetheless
appropriate to furnish a memorandum to the Senate Committee
on Rules and Administration. [redacted] prepared a
memorandum which was approved by Senator PERCY on October 24,

1973 and the memorandum was hand-delivered to JOSEPH E. O'LEARY, Minority Counsel of the Committee. [redacted] was unable to explain the delay between the conversation with Senator PERCY on October 13, 1973 and the preparation of the memorandum on October 24, 1973.

A copy of the memorandum was also delivered to Senator HOWARD W. CANNON (Nevada), Chairman of the Committee on Rules and Administration. There has been no discussion of the Lincoln Day incident with Senator CANNON or with Senator MARLOW W. COOK, Ranking Minority member of the Committee.

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On October 25, 1973, [redacted] Administrative [redacted] to Representative FORD, telephoned [redacted] and requested a copy of the memorandum. There was no discussion of the Lincoln Day incident between [redacted] and [redacted] other than a recitation of the contents of the memorandum.

[redacted] has had no subsequent conversations with [redacted], and [redacted] is unable to suggest the source for particulars which have appeared in Gannett Newspaper Columns regarding the Lincoln Day incident.

In connection with the information furnished by [redacted], there is attached an article entitled, "Memo Links FORD to Illegal Cash", which appeared in the October 26, 1973, issue of the "Courier-Post", Camden, New Jersey. According to this article, in a memorandum prepared by Mr. CHILDERS, a dairy industry official was quoted as saying Representative FORD was given money early in 1973 in exchange for help in advancing legislation sought by milk producers. It was stated Mr. CHILDERS said he had been told of the transaction in February, 1973, by DALE SCHAUFELBERGER, a director of the Agricultural and Dairy Education Political Trust, the political arm of Mid-American Dairymen, Inc. The article states Representative FORD flatly denied this allegation.

WFO 161-9324

RST:file

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A complete review of all receipts and expenditures for the 1966 Congressional Campaign, as filed with the Clerk, United States House of Representatives, by GERALD R. FORD, was conducted by SA CARLTON V. BRODEN.

A thorough examination of these statements produced no record of any contributions to FORD of \$2,000 from a Seafarers Union Fund.

It is noted an article entitled "Ford Ready for Full Probe," which appeared in the October 14, 1973, issue of the "Washington Star-News," Washington, D. C., contains a statement that, "in 1966, a Seafarers Union Fund reported giving Ford \$2,000 that his own filing did not list." A copy of this article is enclosed.

CAMPAIGN DONATIONS

WASHINGTON STAR NEWS
Washington, D.C., Sunday, October 14, 1973

A-5

Ford Ready for Full Probe

By James R. Polk
Star-News Staff Writer

Vice President-designate Gerald R. Ford says he is ready to face all questions on his campaign finances and knows of nothing in his past that will embarrass him.

At a new conference yesterday, Ford said he expected the confirmation hearings to look into his handling of unreported campaign checks in 1970, but denied any wrongdoing and said, "It should be gone into fully."

The campaign money issue may be the only sticky matter to slow Ford's rush to House and Senate approval.

Like many congressmen, he has received most of his campaign funds from special interest groups — sugar, steel, shipping, banking, restaurant and road construction industries and the Teamsters union.

IN HIS last race in Michigan in 1972, almost every dollar came from outside his district, not from the voters back home. A maritime union that is aided by government subsidies topped the list, and an oilman was second.

Now, nominated by President Nixon to be the nation's next vice president, Ford is certain to face new inquiries into his campaign finances.

— the scandal that drove Spiro T. Agnew from the vice presidency, accused of accepting payoffs for the past decade.

But Ford's 1972 campaign records reflect the outpouring of special interest groups.

His largest donor was the Marine Engineers Beneficial Association (MEBA), which gave \$7,500 through two political funds. The federal government provides millions of dollars in shipping company subsidies that underwrite the higher costs of American seamen's wages.

The political arm of the banking industry, known as BanPac, sent \$2,500 for Ford. DRIVE, the fund for the Teamsters, provided \$2,000. Another fund, for the National Restaurant Associations, sent \$1,000.

IN THE money game, Ford proved to have a constituency of contributors that stretched far beyond his Western Michigan district.

The top two officials of the Lykes steamship lines in New Orleans sent \$600. Five executives of Armco Steel in Ohio, including its Washington lobbyist, provided \$500. Various employees of General Dynamics, a government contractor on both coasts, gave \$1,211. And executives of General Motors, across the state in Detroit, sent \$1,000.

own committee was able to pass out about \$22,000 in donations to other Republican candidates for Congress from Iowa to Utah, as well as to Michigan hopefuls back home. About a third of his early money from the secret D.C. FUND WAS USED THIS WAY LAST SUMMER.

Ford's success has been maintained without tapping the home folks' pocketbooks: In the last election, 90 percent of the money identified on the reports came from beyond the district boundaries.

AMID THE special interests groups were several prominent multimillionaires who back the Republican party nationally.

Richard M. Scaife, the Mellon banking and Gulf Oil heir in Pittsburgh, sent \$2,500. John M. Shaheen, the New York City oilman who chartered the Queen Elizabeth II on a cruise to dedicate a new refinery in New-

foundland last week, gave \$3,000.

Another \$2,546 came from Joseph M. Segal in Merion, Pa., president of the Franklin Mint, which sold the commemorative medals for Nixon's last inaugural. And hometown multimillionaire Edward J. Frey, a Grand Rapids bank chairman, gave \$2,000.

Frey, Shaheen and Segal each had given more than \$100,000 for President Nixon's campaign last year. Scaife had given \$1 million.

Frey was the only noticeable donor inside Ford's district. The full total listed for contributors who could vote for him was only \$8,558.

Already looming are these problems.

© In 1972, the Ford campaign got nearly half of its money, \$38,216, from a Washington fund-raising committee that kept the names of the donors secret under a loophole before a new disclosure law took effect.

© In the 1970 race, Ford, as treasurer of his own campaign, signed what apparently was an inaccurate sworn statement to the House in a report that failed to include \$11,500 in checks from Wall Street, the oilman, bankers and others.

Ford said yesterday he endorsed the donations over to a national Republican fund and added, "They weren't reported because I didn't spend them in my campaign." But the Republican headquarters paid off Ford's campaign bills by sending a similar sum back to his district at the same time.

© In 1966, a Seafarers Union fund reported giving Ford \$2,000 that his own filing did not list. And, in a federal court case in San Francisco, a shipping company pleaded guilty to making an illegal corporate donation to Ford in that same campaign.

THE MONEY questions may cause a brief flicker of trouble, but probably no serious flareup, in the forthcoming Senate and House hearings. Congressmen traditionally have been loath to challenge the fund-raising system that supports all of them, and Ford is certain to be accorded every courtesy as a colleague.

Ford has been free of any shadow of suggestion of personal misuse of money

Another \$800 came from sugar growers in Louisiana and Florida. A government-imposed quota on foreign imports keeps U.S. sugar prices propped up at twice the world rate.

But the biggest source of Ford's money is still unknown. A Washington fund-raising committee for Ford, listing only a post office box as an address, netted \$38,216 from secret donors in the late rush before the new disclosure law took effect in April 1972.

THE GROUP was headed by James G. Morton, a political spokesman for the chemicals industry. Ford has said he does not know who the donors were, "and I think it's better that I don't know."

The filings on public record for the two main Ford campaign committees last year list about \$98,000 raised and \$87,000 spent, with a comfortable cushion left at the start of this year.

Ford won re-election in the usual runaway in his Grand Rapids, Mich., district. He has always pulled 60 percent or more of the vote since he first came to Congress a quarter of a century ago.

In fact, Ford's campaign was rich enough that his

YOUR FATHER - POST

SPORTS
FINAL

A Gannett Newspaper

CAMDEN, N. J., FRIDAY, OCTOBER 26, 1973

Home
Delivery 75c
Per Week

15 CEN

Memo Links Ford to Illegal Cash

Dairy Official Says Money Was Paid for Support of Milk Bill

By JACK W. GERMOND
and PETER BEHR
Gannett News Service

WASHINGTON — Senate investigators have been given a memorandum in which a dairy industry official is quoted as saying that Vice Presidential nominee Gerald R. Ford was given money early this year in exchange for help in advancing legislation sought by milk producers. Ford flatly denied the allegation, as did the dairy of-

ficial named in the memorandum. Through a spokesman, Ford said he has "never touched a cent" of illicit contributions from milk producers.

The memorandum was written by John Childers, legislative assistant to Sen. Charles H. Percy, R-Ill. Childers said that he had been told of the transaction last February in Springfield, Ill., by Dale Schaeferberger, a director of the Agricultural and Dairy Education Political Trust (ADEPT), the political arm of

Mid-American Dairymen, Inc. In an interview with Gannett News Service, Childers said Schaeferberger told him that "two people associated



with the dairy industry in Illinois had been in Washington" shortly before their February conversation "to bring money to Congressman Ford for distribution to other congressmen in connection with the 1973 farm bill."

Ford's reports of political contributions, which are required by law of all congressmen, show no record of any money from the dairy industry in the period in question. And the House minority leader insisted there had been none.

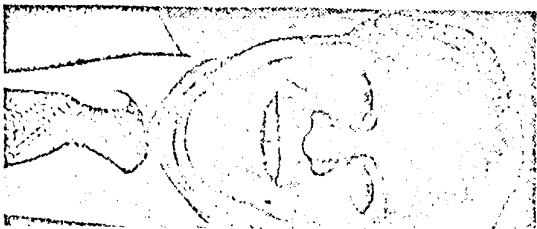
Although he declined a request for an interview, Ford relayed a statement through his press secretary, Paul Mitchell, as follows:

"The story is that the milk producers counsel, Bob Collier (a Washington lawyer),

came to see me after the election and said his clients wanted to help Republican members who had campaign debts. I checked with Jack Calkins (executive director of the Republican Congressional Campaign Committee) as to who had obligations and I gave Collier a list of six or seven names. He turned it over to his clients. I then promptly forgot about it.

"A month or two later several milk producers came

Continued on Page 11—Col. 1



GERALD FORD

Ford Linked to Cash For Milk Bill Support

Continued from Page One

into my office and wanted to give the money to me. I told them, 'No, if you want to make a contribution to these members, you will have to give the contribution directly to them.' Apparently they did, and I assume the contributions were reported. I have no other knowledge as to the facts of this matter."

There is no evidence to indicate Ford did anything in behalf of the dairy industry. He was not among the 88 members of Congress who sponsored legislation calling for milk price supports to be pegged at 85 per cent of parity, the milk producers' goal at that time.

Rules Committee

The Childers memorandum was delivered to the Republican staff of the Senate Rules Committee early this week, and Percy's administrative assistant, Joseph Farrell, notified Ford of its existence and gave him a copy of it. The Rules Committee is the Senate unit charged with the responsibility for the preliminary investigation of Ford prior to public hearings on his confirmation as vice president.

"I think it's safe to say it'll be checked out," said Joseph E. O'Leary, the senior minority member of the Rules Committee staff.

He said the FBI has been making thorough background investigation of Ford and soon will report its findings to the Senate group and the House Judiciary Committee, which has the corresponding responsibility in the House of representatives.

O'Leary said he didn't know whether the allegation about the dairy contribution had been passed on to the FBI either by the committee or some other source. But he ded it would be if the FBI report fails to show evidence has been investigated.

"I don't know about FBI

activity on the charge but I can assure you it will be checked out," he said.

Schaufelberger, a dairy farmer in Greenville, Ill., denied totally Childers' account of the conversation, which Childers said took place after a meeting of a farm advisory committee to Sen. Percy, who was in Springfield for Lincoln Day activities. As an assistant to Percy, Childers handles farm legislation, among other things.

Under Oath "I did not tell John Childers that," Schaufelberger told Gannett News Service. "That shocks my imagination. I don't care if John Childers said it. If my testimony has to be under oath, it will be."

"I was not aware of this and I do not believe it. I don't believe I ever talked to John Childers about this. I'd like to be more positive, but he's not giving you the facts."

Gary E. Hanman of Nian-gua, Mo., executive director of Mid-America and chairman of ADEPT, also denied any knowledge of channeling contributions to or through Ford. He said he had called Ford early this year to seek his support on dairy legislation.

Farmers' Story

"We've talked to Jerry Ford, I think, on occasion, just as we've talked to other people in the leadership," he said in an interview on his farm. "Of course, the purpose of our ADEPT program is to get the dairy farmers' story across to whoever will listen to us. We've talked to Jerry, Congressman Ford. He probably wouldn't know us, but we've talked to him on occasion."

The Childers version, Hanman said, "is a wrong story. I don't know where it came from, but it's a wrong story."

Both Hanman and Schaufelberger said ADEPT makes contributions only by check to candidates' committees, in-

stead of fully in its reports. In 1972 ADEPT contributed \$321,155 to candidates for federal offices, according to its reports to the clerk of the House of Representatives. And the group has made further contributions this year as part of an intense campaign to raise the milk price support level.

Specify Sum

Childers told Gannett News Service he did not recall whether a specific sum of money was mentioned by Schaufelberger in the February conversation, but he said the contribution was clearly tied to support of the 85 per cent of parity that was the dairymen's goal.

He said he considered it "strictly hearsay" at the time and didn't think about the conversation again until Ford was chosen Oct. 12 by President Nixon to be vice president. The next morning Childers told Percy for the first time about the conversation. Early this week Percy advised Childers to submit the memorandum to the investigators.

However, other sources said Childers described the conversation with Schaufelberger in more detail shortly after it took place.

Political Friends

According to these sources, Childers said then that, according to Schaufelberger, Ford had told Schaufelberger he needed \$15,000 to distribute to help some political friends, presumably with their campaign debts. Childers described Schaufelberger then as aghast at the request from Ford, according to sources who talked to the Percy aide at the time. And, according to this account, Schaufelberger told Childers the \$15,000 was sent to Washington Feb. 7.

The dairymen, faced with sharply rising feed costs, had two goals in that period. They were urging senators and congressmen to support a bill to raise the minimum price support for milk from the then-existing 75 per cent of parity to 85 per cent. And they were hoping the legislative campaign would bring pressure on Agriculture Secretary Earl Butz, who has the authority to set the milk price level administratively before April 1 of each year.

The administration opposed the dairy industry bill as part of a general policy of attempting to reduce subsidies.

Separate Bill

The separate dairy bill was allowed to die because many congressmen who had received 1972 campaign contributions from milk producers were sensitive about being identified with the measure. The upshot was that the minimum milk price support level — 80 per cent of parity — was the figure settled upon — was written into the omnibus farm bill where it wouldn't have to be voted on separately.

Schaufelberger has been active in lobbying for dairy legislation in both parties. In addition to serving on Percy's committee, he has served on a similar advisory group for Democratic Sen. Hubert H. Humphrey of Minnesota. He testified in March for the dairy bill.

But the Illinois dairyman was adamant in his insistence that his organization has never dealt in the illegal contributions that have brought other dairy groups under federal scrutiny.

"We don't deal that way," he said in an interview at his farm about 50 miles east of St. Louis. "And we just wanted to make sure we didn't get tripped up by the mistakes that other people who did deal that way made. . . . If you're going to . . . play Santa Claus, this can ruin a program. If it's handled improperly, it can be the worst black eye and you can never live down the record."

"TREAT AS CONFIDENTIAL"

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

FD-233 (Rev. 1-7-73)

FEDERAL BUREAU OF INVESTIGATION

TELETYPE

REPORTING OFFICE NEW YORK	OFFICE OF ORIGIN BUREAU	DATE 11/1/73	INVESTIGATIVE PERIOD 10/31 - 11/1/73
TITLE OF CASE GERALD RUDOLPH FORD aka		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY Mr. Coleman Room 1345
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SPECIAL INQUIRY	

REFERENCE:

WFO nitel to New York, 10/30/73.

- RUC -

ACCOMPLISHMENTS CLAIMED				<input type="checkbox"/> NONE	ACCOUNT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:						161-9896	
6 - Bureau (161-9896)						NOT RECORDED	
1 - New York (161-4579)						3 DEC 13 1973	
1 copy filed in Bulky Encl							
Dissemination Record of Attached Report						Portions	
5306 19 1973							
1-11 Nov. 3-Act Ag.							
1-5-73 11-5-73							
Liaison, Liaison							

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

Date:

11/1/73

Office: New York, New York

Field Office File #:

161-4579

Bureau File #: 161-9896

Title:

GERALD RUDOLPH FORD

Character:

SPECIAL INQUIRY

Synopsis:

Former Secretary of State, WILLIAM P. ROGERS,
recommended nominee. He stated the nominee
placed no pressure or influence on him regarding
political favors.

- RUC -

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NY 161-4579

DETAILS:

Miscellaneous

On October 31, 1973, WILLIAM F. ROGERS, former Secretary of State, and now with the firm of Rogers and Wells, 200 Park Avenue, New York City, New York, ~~telephon-~~
~~ically~~ advised that he considers the nominee a "very high class" person and "a man of integrity". He considered the nominee very loyal to the United States and stated he is a dedicated and conscientious person.

ROGERS added that in regard to any comments contained in ROBERT N. WINTER-BERGER's book "The Washington Pay-Off", Representative FORD "never importuned me to do anything" and never asserted any kind of influence or pressure on him regarding political favors. He advised that he does not even recall how he met FRANCIS LEONARD KELLOGG. He added that he did not even recall if he had initially met KELLOGG through a letter of introduction and if he did receive such a letter, the writer of the letter was not recalled by him. He also advised that if the nominee had pressured him for anything, even slightly, he would have remembered the circumstances. No such situation was recalled by ROGERS.

ROGERS concluded by stating he recommended Representative FORD for the position of Vice President of the United States.

~~It should be noted that the above interview was conducted telephonically at the request of Mr. ROGERS' secretary.~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

Date: 11/1/73

Office: New York, New York

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b7C

Field Office File #: 161-4579

Bureau File #:

Title: GERALD RUDOLPH FORD

Character: SPECIAL INQUIRY

Synopsis: Former Secretary of State, WILLIAM P. ROGERS, recommended nominee. He stated the nominee placed no pressure or influence on him regarding political favors.

- RUC -

DETAILS:

Miscellaneous

On October 31, 1973, WILLIAM P. ROGERS, former Secretary of State, and now with the firm of Rogers and Wells, 200 Park Avenue, New York City, New York, advised that he considers the nominee a "very high class" person and "a man of integrity." He considers the nominee very loyal to the United States and stated he is a dedicated and conscientious person.

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ROGERS concluded by stating he recommended Representative FORD for the position of Vice President of the United States.

- 1* -

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

1 - Mr. Callahan
1 - Mr. Gebhardt
1 - Mr. Franck
1 - Mr. Bowers

1 - Mr. Cleveland
1 - Mr. Coleman
1 - Mr. Auerswald

Assistant Attorney General
Criminal Division

November 1, 1973

Director, FBI

GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

Reference is made to your memorandum dated October 16, 1973, which requested that Special Agent [redacted], Intelligence Division, Internal Revenue Service, Chicago, Illinois; [redacted], Criminal Division attorney, Chicago, Illinois; and [redacted] be interviewed. It was stated Special Agent [redacted] had received information from [redacted] concerning Representative Ford which related to an alleged payment of \$500 for Representative Ford's services in connection with a "contract."

Attached is one copy each of reports dated October 18, 1973, at Chicago, Illinois, and October 19, 1973, and October 25, 1973, at Philadelphia, Pennsylvania, containing the results of interviews concerning this matter. The results of an interview on October 18, 1973, with [redacted] by Special Agent [redacted] are set out in the report dated October 19, 1973, at Philadelphia, Pennsylvania. The report dated October 25, 1973, at Philadelphia, Pennsylvania, contains information that on October 25, 1973, [redacted] stated he desired to completely clarify his immunity status with regard to information he had previously furnished the Internal Revenue Service prior to making any statements to Special Agents of the FBI. He advised that the information he furnished Special Agent [redacted] of the Internal Revenue Service on October 18, 1973, was entirely accurate.

In view of the information [redacted] furnished Special Agent [redacted] of the Internal Revenue Service when interviewed on October 18, 1973, no further inquiries concerning the allegation attributed to him are contemplated in the absence of a further request from you. Copies of the attached reports have been furnished to the Acting Attorney General and to General Alexander M. Haig, Jr., at The White House in connection with the investigation being conducted by this Bureau concerning Representative Ford.

Enclosures (3)

OJA: dcm
(10)

SEE NOTE PAGE 2.

RETURN TO MR. AUERSWALD, ROOM 1258.

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53 DEC 19 1973

TELETYPE UNIT ☐

Memorandum to Assistant Attorney General
Re: Gerald Rudolph Ford

NOTE: On 10-16-73, Assistant Attorney General Peterson advised he had been informed that SA [] of the Internal Revenue Service (IRS), during an interview with [], received information concerning Ford which related to an alleged payment of \$500 for Ford's services in connection with a "contract." [], a former [] who has been convicted of income tax evasion, has been furnishing IRS information concerning other individuals in an effort to obtain immunity from prosecution. In May, 1973, according to [], [] said he had given Ford \$500 for "contacts in the highway commission," not further explained. No mention was made of any "contract." IRS furnished this information subsequent to Ford's nomination to be Vice President. [] was interviewed by [] on 10-18-73, at which time he said he purchased 5 tickets at \$100 each for a Republican Party fund-raising dinner in Washington some time ago, and indicated the original arrangements for the purchase of tickets were made through one of Ford's administrative assistants, name not recalled. He said he met Ford at this dinner for the first time, and stated he never received any favors from Ford. When contacted on 10-25-73, [] declined to make any statement to the FBI prior to clarifying his immunity status. He said the information he furnished IRS Agent [] on 10-18-73 was accurate.

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UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

TO : Director
Federal Bureau of Investigation

DATE: October 15, 1973

FROM : *[Signature]*
Henry E. Petersen
Assistant Attorney General
Criminal Division

SUBJECT: Gerald Ford: Inquiry Concerning

Assoc. Dir.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

In connection with the captioned matter, it is requested that Special Agent [redacted] Intelligence Division, Internal Revenue Service, Chicago, Illinois be interviewed. *Ampt*

On October 15 I was informed that [redacted] in accordance with an interview with [redacted] had received information concerning Congressman Ford which related to an alleged payment of \$500.00 for Congressman Ford's services in connection with a contract. Also present at the time of the interview of [redacted] was William S. Kenney, a Criminal Division attorney, who can be reached during business hours at Room 1704, 17 North Dearborn Street, Chicago, Illinois. I am further informed that [redacted] is represented by Attorney [redacted] of Boston, Massachusetts.

It is requested that the aforementioned persons, with the exception of [redacted] be interviewed to determine whether there is any substance to the allegation.

I am informed that Agent [redacted] has made this information known to his superiors in the Internal Revenue Service, Washington, D. C.

161-7876-229
NOT RECORDED

3 DEC 12 1973

*Wms to
Asst. Dir. AR
Criminal Division
11/1/73
JEP/lem*

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COMMUNICATIONS SECTION

NOV 02 1973

TELETYPE

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DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Asst. Dir.:	
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Files & Com.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Plan. & Eval.	
Spec. Inv.	
Training	
Legal Coun.	
Telephone Rm.	
Director Sec'y	

NR 026 CG PLAIN

10:47 PM NITEL 11/2/73 DJD

TO DIRECTOR

FROM CHICAGO (161-2695) 1P

GERALD R. FORD, AKA - SPI.

RE DIRECTOR TELCALL INSTANT DATE.

ON 11/2 INSTANT, CHICAGO SA TELEPHONICALLY CONTACTED REPORTER
[REDACTED], CHICAGO DAILY NEWS REPORTER WHO AUTHORED ARTICLE
CAPTIONED [REDACTED], CHICAGO
DAILY NEWS, [REDACTED], IN ATTEMPT TO DEVELOP FURTHER DETAILS OF
INFORMATION SET FORTH IN ARTICLE. [REDACTED] STATED HE HAD APPOINT-
MENTS INSTANT DATE AND COULD NOT SPARE TIME FOR INTERVIEW. [REDACTED]
STATED HE WOULD CONTACT CHICAGO OFFICE WHEN AVAILABLE FOR INTER-
VIEW. CHICAGO WILL RIGOROUSLY PURSUE EFFORTS TO INTERVIEW [REDACTED]
11/3 NEXT.

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END

FBIHQ FLC CLR

161-2695-24

NOT RECORDED

8 11/13/73

53 DEC 19 1973

ALL INFORMATION CONTAINED
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DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

F B I

Date: 11/2/73

Transmit the following in PLAINTEXT
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (161-9896) (MAIL)
AND SAC, ALEXANDRIA (161-2322)

FROM: SAC, WFO (161-9324) (P)

GERALD R. FORD, SPECIAL INQUIRY, BUDED: PAST.

RE WASHINGTON FIELD OFFICE REPORT, 11/1/73, (NO COPY
ALEXANDRIA).

THIS CONFIRMS WASHINGTON FIELD OFFICE TELEPHONE CONVER-
SATION WITH ALEXANDRIA, 11/2/73.

ON 11/1/73, [REDACTED], GENERAL SER-
VICES ADMINISTRATION (GSA), WASHINGTON, D.C., ADVISED ~~THIS~~ ^{THAT}
INFORMATION WAS RECEIVED FROM "CHICAGO DAILY NEWS" OF RUMORS
THAT FORD HAD BEEN INSTRUMENTAL IN AWARDING OF CONTRACTS TO
STEEL CASE FURNITURE COMPANY, GRAND RAPIDS, MICHIGAN, FOR
BUILDINGS SUPPLIED AND FURNISHED BY GSA. PRELIMINARY INQUIRY
BY GSA INDICATES NOTHING CONCERNING FORD, BUT DID DISCLOSE
SOME IRREGULARITIES IN PROCUREMENT PROCEDURES WITHIN GSA.
SAMPSON HAS ORDERED THOROUGH INVESTIGATION.

- ① - Bureau
1 - Tickler
1 - WFO

RST:pjf
(3)

161-1275-241
NOT RECD
3 DEC 1973
✓
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Approved: M/SCJ
Special Agent in Charge

Sent _____ M Per _____

F B I

Date:

Transmit the following in _____
(Type in plaintext or code)Via _____
(Priority)WFO 161-9324
PAGE TWO

ACCORDING TO [REDACTED], "CHICAGO DAILY NEWS" APPARENTLY INDICATES FORD SPONSORED [REDACTED] OF FURNITURE AND FURNISHINGS BRANCH OF THE STANDARDIZATION DIVISION OF FEDERAL SUPPLY SERVICES, GSA, IN HIS POSITION. [REDACTED] INDICATES [REDACTED] HAS DENIED IRREGULARITIES IN CONDUCT OF HIS OFFICE.

REVIEW OF [REDACTED] OFF, AT WASHINGTON, D.C., REFLECTS NO INFORMATION IDENTIFIABLE WITH FORD.

ALEXANDRIA INTERVIEW [REDACTED] AT GSA, CRYSTAL MALL BUILDING NUMBER FOUR, ARLINGTON, REGARDING ASSOCIATION WITH FORD AND ALLEGATION OF BEING SPONSORED BY FORD.

b6
b7C
b7DApproved: _____
Special Agent in Charge

Sent _____ M Per _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

F B I

Date: 11/2/73

Transmit the following in PLAINTEXT
(Type in plaintext or code)Via TELETYPE NITEL
(Priority)

TO: DIRECTOR, FBI (161-9896) (MAIL)
AND SAC, CHICAGO

FROM: SAC, WFO (161-9324) (P)

GERALD R. FORD, SPECIAL INQUIRY, BUDED: PAST.

RE WASHINGTON FIELD OFFICE NITEL, 11/1/73.

THIS CONFIRMS WASHINGTON FIELD OFFICE TELEPHONE CONVER-
SATION, 11/2/73.

DISREGARD LEAD SET FORTH IN REFERENCED COMMUNICATION.

① - Bureau
1 - Tickler
1 - WFO

RST:pjf
(3)

161-9896-242
NOT RECORDED

3 DEC 12 1973

Approved: M/SCS
Special Agent in Charge

Sent _____ M Per _____

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO:	NAME	DIVISION	BUILDING	ROOM
1.	Chief Kelley			
2.				
3.				
4.				

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

For your information.

Gerald R. Ford

K

FROM:	NAME	BUILDING & ROOM	EXT.	DATE
	Patrick McSweeney			11/2/73

Asst. Dir.	<input checked="" type="checkbox"/>
Asst. Dir.	<input type="checkbox"/>
Admin.	<input type="checkbox"/>
Comp. Syst.	<input type="checkbox"/>
Ext. Affairs	<input type="checkbox"/>
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Legal Coun.	<input type="checkbox"/>
Telephone Rm.	<input type="checkbox"/>
Director's Sec'y	<input type="checkbox"/>

Handwritten notes and signatures on the right margin.

161-9876-24

NOT RECORDED

3 DEC 12 1973

1-ENCLOSURE

53 DEC 19 1973

WASHINGTON NATIONAL OFFICE

AMERICAN CIVIL LIBERTIES UNION

410 FIRST STREET, S.E., WASHINGTON, D. C. 20003

(202) 544-1681

ALL INFORMATION CONTAINED
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DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

CHARLES MORGAN, JR.
Director

HOPE EASTMAN
Associate Director

ARLIE SCHARDT
Associate Director

MARY ELLEN GALE
Counsel

November 1, 1973

Honorable Peter W. Rodino, Jr.
Chairman, Judiciary Committee
House of Representatives
Washington D. C. 20515

Dear Chairman Rodino:

Thank you for your inquiry regarding the guidelines and procedures which the American Civil Liberties Union feels will be most appropriate for the handling of the investigative reports of the Federal Bureau of Investigation in connection with the nomination of Gerald R. Ford to be Vice-President of the United States, which nomination is pending with your Committee.

We are familiar with the October 25, 1973 letter of Acting Attorney General Robert H. Bork to you as Chairman of the House Judiciary Committee. In Mr. Bork's letter he states:

The procedure set forth in this letter is entirely consistent with the approach traditionally followed in connection with confirmation hearings before the Senate Judiciary Committee. During the hearings earlier this year on the nomination of L. Patrick Gray III to be Director of the FBI Mr. Gray departed from that tradition, prompting the American

ENCLOSURE

Civil Liberties Union to write to the Chairman of the Senate Judiciary Committee to voice its concern over Mr. Gray's offer "to turn over all of the FBI files on the Watergate case to members of the Senate." That offer was not made upon the authority of the Attorney General and was quickly withdrawn on orders of the Attorney General. The ACLU perceived that such an arrangement might "affect the rights of individuals to their privacy and to procedural fairness during this legislative investigation."

The circumstances of the Senate Judiciary Committee's hearing on the confirmation of Mr. Gray are in no way analogous to those planned by your Committee and the Senate Rules Committee on the nomination of Congressman Ford.

During the Gray hearing, the nominee's FBI investigative reports were not at issue. In this case the reports on the nominee himself are at issue.

There Mr. Gray testified that raw FBI data regarding the Executive Branch's Watergate Investigation had been turned over to Mr. John W. Dean III, one of Mr. Nixon's counsel in the Watergate case. There was considerable congressional criticism of that procedure. Mr. Gray then offered all Watergate files to the members of the Senate without any procedural safeguards regarding their handling. In the absence of any congressional protest at this procedure, the ACLU made its recommendations.

The fact that their investigative reports were not on the conduct of Mr. Gray who was seeking confirmation, but were

a completely separate set of reports which related to a then and now pending criminal investigation is a crucial distinction.

Mr. Ford is a nominee to the second highest elective office available to the people of the United States. We believe, therefore, that the investigative reports transmitted by Mr. Bork should be available to all committee members rather than to only the two members of the House of Representatives and the two members of the Senate presently allowed access by the Executive Branch.

Mr. Ford should be subjected to congressional scrutiny, but is entitled, as are other citizens, to a fair legislative procedure.


The American Civil Liberties Union has adopted standards it believes the Congress should enforce to protect both Mr. Ford and third parties who may be mentioned in the reports.

They are attached hereto. We believe these standards adequately assure the public's right to full disclosure and the rights of the nominee and third persons. Unfortunately there have been a number of instances where information regarding national defense and Presidential conduct have been limited to a handful of members of Congress who are effectively selected by the President. This practice establishes a congressional mandarin class. Democratic procedure requires that all the members of the Committee charged by the House with the responsibility for action be provided the information upon which to base their judgment.

Also attached hereto is a copy of our previous correspondence with Chairman Eastland of the Senate Judiciary Committee during the Gray Confirmation Hearings.

I am forwarding a copy of this letter to each member of the House Judiciary Committee and the Senate Rules Committee.

Sincerely,


Charles Morgan, Jr.

CM,Jr./pw

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE SEATTLE	OFFICE OF ORIGIN BUREAU	DATE 11/2/73	INVESTIGATIVE PERIOD 11/2/73
TITLE OF CASE GERALD R. FORD		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY kn
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SI	

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REFERENCE: WFO nitel, dated 11/1/73.

- RUC -

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COVER PAGE

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVICT	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED: *[Signature]* SPECIAL AGENT
IN CHARGE

OFFICE MADE:

DO NOT WRITE IN SPACES BELOW

1 - Bureau (161-9896)

1 - Seattle (161-716)

5 Copies made at FBI, Boston
1 Copy filed in B. City and

161-7276 244 REC-98

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3 DEC 13 1973

Dissemination Record of Attached Report

Agency	Request Recd.	Date Fwd.	How Fwd.
1-William 3 AOTAG		11-5-73	11-5-73

Notations

3 DEC 19 1973

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

ALL INFORMATION CONTAINED
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DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:**Report of:****Date:**

November 2, 1973

Office: Seattle, Washington**Field Office File #:**

161-716

Bureau File #: 161-9896**Title:**

GERALD R. FORD

Character:

SPECIAL INQUIRY

Synopsis:

[redacted] was interviewed at Issaquah, Wash., on 11/2/73, and advised that he was the former Office of Economic Opportunity (OEO) [redacted] in Chicago, Ill. He said that he is a personal friend of GERALD R. FORD and that he assumes that FORD had helped him obtain his position as the OEO [redacted] in Chicago. He claims he knew nothing of the GSA purchase of furniture from Steel Case Furniture Co., until after the furniture was delivered. He admitted he is a personal friend of the [redacted]; however, he did not attempt to influence the GSA to buy furniture from them. He also stated he does not think GERALD FORD attempted to influence GSA to purchase the furniture from any one company.

- RUC -

DETAILS:

General Services Administration

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FEDERAL BUREAU OF INVESTIGATION

11/2/73

Date of transcription

[redacted] Washington Education Association, 910 Fifth Avenue, Seattle, Washington, provided the following information:

He stated that he first became acquainted with GERALD FORD when FORD was a Congressman for the 5th District of Michigan. He stated that he was involved in Community Action Programs in the Grand Rapids, Michigan, area and had become acquainted with GERALD FORD on numerous occasions while in that position with the Community Action Program.

He stated that in 1970, he began working for the Office of Economic Opportunities (OEO) in Chicago, Illinois. He said that in May, 1970, he was appointed [redacted] of the Chicago Office of OEO by [redacted] who was then the [redacted], OEO. He stated that he knew his appointment had to go through the Civil Service Commission, and that when he had filled out the numerous applications, he had listed GERALD FORD as a reference. He stated that he assumed FORD had pushed for him to become the OEO [redacted]. He said that FORD knew that he [redacted] was a good administrator, and that he would do what he could to get [redacted] the position with the OEO.

He said shortly after he took over the OEO [redacted] in Chicago, he began plans to move into a new building at 300 South Wacker Drive, Chicago, along with three or four other governmental agencies. He said that he had nothing to do with the actual acquisition of the building or properties. He said that the bids for the furniture for the building was put out by (GSA) and that his first knowledge of who had gotten the furniture bid came when he saw the furniture delivered. He stated that Steelcase Furniture Company of Grand Rapids, Michigan, had gotten the contract for the furniture.

He stated that when he saw the Steelcase Furniture trucks bring the furniture, he knew that there would probably be problems concerning conflict of interest charges. He said within a couple of days the American Federation of Government Employees (AFGE), Local Board No. 2816, headed

Interviewed on 11/2/73 at Issaquah, Washington File # 92 161-716

SA [redacted]
SA [redacted]

JHO:kn

Date dictated 11/2/73

by WAYNE KENNEDY had made charges that [] had made arrangements through GSA for the furniture to be purchased from the Grand Rapids firm. KENNEDY's allegation was that [] and [] were good friends, and that [] was attempting to help him with the furniture contract. He said accusations by the Labor Union were also made that GERALD FORD may have made contact with the GSA to attempt to get GSA to purchase furniture from Steelcase Furniture Company.

[] stated that the charges by the AFGE were completely false, and that it was simply circumstantial that the furniture was purchased from Steelcase, and that [] was a friend of the []. He stated that if there had been an influence on GSA to purchase the furniture, that it would have been himself who had pushed for Steelcase. He said, however, that this was definitely not done. He further stated that he never contacted GERALD FORD concerning Steelcase obtaining the contract from GSA.

[] also advised that another person who might possibly have some knowledge concerning the acquisition of this furniture for the Federal Building was his former [], who is now the [] Indianapolis, Indiana.

[] stated that after President NIXON nominated GERALD FORD for the Vice Presidency, he received a phone call about two days later from the Chicago Office of the OEO stating that the Chicago Tribune had called and had been asking questions concerning the Steelcase Furniture Company getting the GSA bid for the furniture for OEO. [] stated that he told the Chicago OEO Office exactly the same story which he had just stated. He stated that after the telephone call from Chicago, he had telephoned [] who is now the [] of Steelcase Furniture Company and advised him that an accusation had been made. He stated that he advised [] since [] was a good personal friend and felt he should be aware of the accusations.

SE 10-10-68

He reiterated that he definitely was not involved in any wrongdoing concerning the GSA acquisition of furniture from Steelcase Furniture Company, and he was certain that GERALD FORD also knew nothing about it.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN BUREAU	DATE 11/2/73	INVESTIGATIVE PERIOD 11/2/73
TITLE OF CASE GERALD RUDOLPH FORD, aka Gerald Rudolph Ford, Jr., Leslie King, Jr. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div>	TYPED BY rst
		CHARACTER OF CASE SPECIAL INQUIRY	

b6
b7cREFERENCE: WFO report of SA dated 11/2/73.

- RUC -

WDC #2

COW 11/13/73

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED *M/SCJ* SPECIAL AGENT IN CHARGE

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161-9896-245	REC-86
RECORDED 3 DEC 10 1973	
Notations <i>9.0M</i>	

Dissemination Record of Attached Report			
Agency	1-WFO	1-ATAP	
Request Recd.			
Date Fwd.	11-5-73	11-5-73	
How Fwd.	Handwritten	Handwritten	

53 DEC 19 1973

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

[REDACTED]

Office: Washington, D.C.

Date:

November 2, 1973

Field Office File #:

161-9324

Bureau File #: 161-9896

Title:

GERALD RUDOLPH FORD

Character:

SPECIAL INQUIRY

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Synopsis:

Appointee re-interviewed: admits receipt of donation from Seafarer's Committee on Political Education, Brooklyn, New York, but assumed that report of donation had been made; comments regarding Steel Case Furniture Company, [REDACTED], and [REDACTED] set forth.

RUC

DETAILS:

AT WASHINGTON, D.C.

WFO 161-9324

RTT:rah

1

The appointee, Representative GERALD R. FORD, furnished the following information to SA RICHARD T. TAYLOR, JR., on November 2, 1973:

Seafarer's Committee on Political Education,
675 4th Avenue,
Brooklyn, New York

Representative FORD referred to an article under the byline of JAMES R. POLK, October 14, 1973, which article appeared in the "Washington Star - News" and related to campaign donations. The article contained reference to a Seafarer's Union Fund which reportedly made a donation to Representative FORD in the amount of \$2,000 in 1966. The article implied Representative FORD did not report receipt of this donation to the Clerk of the House of Representatives as required by existing campaign reporting laws. Representative FORD referred to his briefing book which has been utilized by him in hearings before the Senate Committee on Rules and Administration and he indicated he was somewhat disappointed that the Committee did not inquire into the Seafarer's donation. Representative FORD admittedly did not report receipt of the donation since in his estimation it was not required of him.

Representative FORD made available photostatic copies of two checks in the amount of \$1,000 each and which were dated September 16, 1966. The checks were drawn on the Royal National Bank, Brooklyn, New York, by the Seafarer's Committee on Political Education, Individual Circle Account, 675 4th Avenue, Brooklyn, New York. The drawers of the checks in each instance were one [redacted] and one [redacted]. The checks contained the endorsement of Representative GERALD R. FORD and the endorsement of The Fifth District Republican Committee, Grand Rapids, Michigan. Representative FORD endorsed these checks over to the Ford for Congress Committee in Grand Rapids, Michigan, which in turn transferred the checks to the Fifth District Republican Committee. Under campaign laws existing in 1966, the Fifth District Republican Committee would have been required to report receipt of the Seafarer's donation and Representative FORD assumes this had **been done**.

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The checks bear the stamped notation they were cashed by The Fifth District Republican Committee on September 29, 1966.

The drawers of the foregoing checks, [REDACTED] and [REDACTED], are unknown to Representative FORD.

Steel Case Furniture Company,
Grand Rapids, Michigan

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Representative FORD is aware reporters of the "Chicago Daily News" have been in the process of compiling an article, which may have already been printed, according to Mr. FORD, and it alleges Representative FORD has been active in behalf of the company in obtaining furniture contracts with the General Services Administration. In this regard he notes that the reporters of the "Chicago Daily News" have been conducting inquiries in this regard in Grand Rapids and have been in contact with officials of the company as well as Representative FORD's brother who is now head of the Ford Paint and Varnish Company there. He also is aware that these reporters are inquiring into Representative FORD's relationship with [REDACTED] of the General Services Administration, **and concerning** [REDACTED] a former official of the Office of Economic Opportunity in Chicago, Illinois.

At the outset of the interview, Representative FORD assumed the FBI had an interest in recent decoration of the Representative's District Office in the new Federal building at Grand Rapids.

Representative FORD described the Steel Case Furniture Company as one of the largest employers in Grand Rapids and as the largest office furniture manufacturing concern in the world. The firm employs in excess of 4,000 employees and Representative FORD has a continuing interest in the well being of these employees since they are constituents of his. He also considers [REDACTED], as among his closest personal friends.

Representative FORD was contacted by the Steel Case Furniture Company shortly after completion of the Federal building and company interior decorators suggested purchase of certain furnishings including desks and bookcases. The company submitted a figure of \$5,700 to General Services Administration for the furnishing of the Representative's office. However, House of Representative's regulations limit furnishing expenses to a total maximum of \$5,000. In order to meet the \$5,000 limit it would have been necessary for the furniture company to

exclude certain items of furniture which, in the view of their decorators, would have detracted from the overall decorating scheme. As a compromise the company furnished one conference table and six chairs on consignment to Representative FORD, which consignment was sufficient to reduce the overall cost of the office furnishing to within the House of Representatives' limit of \$5,000.

Representative FORD is unaware of whatever negotiations there may have been between the Steel Case Furniture Company and General Services Administration for the furnishing of the entire Federal building at Grand Rapids. He is aware a contract had been awarded to them but Representative FORD stressed he made no inquiry in behalf of the company to General Services Administration in this regard. Representative FORD understands "Chicago Daily News" reporters have been inquiring into this area.

Representative FORD is unaware of any negotiations between the Steel Case Furniture Company and General Services Administration for the furnishing and decorating of the Federal building in Chicago, Illinois, and of the Federal building occupied by the Office of Economic Opportunity at 300 South Wacker Drive, Chicago. He stressed he made no inquiry in behalf of the company in this regard.

Representative FORD acknowledges that he had communicated with General Services Administration approximately two years ago in behalf of the company which had been experiencing difficulties in having a new furniture line included in General Services Administration furniture catalogs. He believes he made a telephone call in behalf of the company and, possibly, spoke with [redacted] **General Services Administration** [redacted] **As a result of his contact** with General Services Administration, the new furniture line of the company was included in the General Services Administration catalog. He views his effort in this behalf to be a legitimate exercise of a representative's office since the company and its payroll are an important factor in the economy of Grand Rapids.

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WFO 161-9324

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[redacted]
General Services Administration (GSA)
Federal Supply Service,
Washington, D. C.

[redacted] had been a former resident at Grand Rapids, Michigan, where [redacted] (first name not recalled) [redacted], has been a [redacted] for a number of years. [redacted] contacted Representative FORD a couple of years ago and indicated [redacted] desire to obtain advancement within GSA and to be considered for appointment as [redacted] of GSA in Denver, Colorado. At the time of the initial contact by [redacted] [redacted] had been a [redacted] [redacted] and [redacted] of the Furniture and Furnishings [redacted] of the Federal Supply Service of GSA. Representative FORD recalls contacting GSA Headquarters in Washington, D. C. and expressed his interest in [redacted] career and possibility for his advancement. Representative FORD advised it is his recollection that [redacted] was found to be deficient in administrative ability by his GSA supervisors and this deficiency barred him from advancement to the post of [redacted]. Representative FORD understands [redacted] continues in his present post as [redacted] of the Furniture and Furnishings Branch. He views his inquiry in behalf of [redacted] to be legitimate and not subject to criticism of any kind.

[redacted]
[redacted] served as a [redacted] of the Office of Economic Opportunity at Grand Rapids, Michigan, two or three years ago. When serving in this post, he became a close personal friend of [redacted] of the Steel Case Furniture Company. Representative FORD believes [redacted] and [redacted] continue to be close personal friends. Mr. FORD is aware that the Steel Case Furniture Company had been awarded a contract for the furnishing of the Office of Economic Opportunity Regional Office at Chicago, Illinois where [redacted] was transferred approximately a year or so ago. Whatever arrangements, specifications and other contractual agreements may have been arrived at for the furnishing of the Regional Office of the Office of Economic Opportunity at Chicago, Mr. FORD assumes, was between [redacted] and GSA and the Steel Case Furniture Company. Representative FORD has no knowledge of the contract for furnishing this office. Mr. FORD is unaware of the present location of [redacted].

Ford Paint and Varnish Company
Grand Rapids, Michigan

Representative FORD advised reporters of the Chicago Daily News recently visited his brother JAMES F. FORD, who continues to operate the Ford Paint and Varnish Company at Grand Rapids. The reporters questioned JAMES F. FORD in an effort to determine whether the company has had any business arrangement with the Steel Case Furniture Company which is directed and was founded by [REDACTED]
[REDACTED].

Business records in the possession of Representative FORD and his brother indicate Ford Paint and Varnish Company has sold a total of less than \$70.00 in supplies to the Steel Case Furniture Company during the years 1973, 1972 and 1971, inclusive.

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Representative FORD has in his possession an affidavit from [REDACTED], affirming the foregoing purchases from Ford Paint and Varnish Company. The affidavit also denies [REDACTED] and his representatives had requested or sought Representative FORD's intercession in its behalf in connection with contracts for the furnishing of the following:

1. The building at 300 South Wacker Drive, Chicago, Illinois.
2. The new Federal Building in Chicago.
3. The new Federal Building in Grand Rapids, Michigan.

A review of the Official Personnel File pertaining to [REDACTED] was made on November 2, 1973 by SA [REDACTED] at the Office of Personnel and Records, General Services Administration (GSA), with no record of any information contained therein pertaining to GERALD R. FORD.

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FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN BUREAU	DATE 11/2/73	INVESTIGATIVE PERIOD 10/31/73 - 11/2/73
TITLE OF CASE GERALD RUDOLPH FORD, aka Gerald Rudolph Ford, Jr., Leslie King, Jr.		REPORT MADE BY SA [REDACTED]	TYPED BY pll
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SPI	

REFERENCE: Report of SA [REDACTED] dated 10/26/73 at Alexandria.

- RUC -

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ADMINISTRATIVE:

On 10/31/73, CURTIS R. FULTON, presently employed with the Indian Claims Division, General Services Administration (GSA), Falls Church, Virginia, was reinterviewed, at which time he was presented with a copy of the results of the interview conducted on 10/25/73. He requested that slight corrections be made and also requested to make further information available, as he had completed some research subsequent to the initial interview and desired to relate the results of this research. Bureau approval was obtained prior to presenting the results of interview with Mr. FULTON on 10/25/73 to Mr. FULTON for review.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED <i>CB</i> COPIES MADE: 9 - Bureau (161-9896) 2 - Detroit 2 - WFO 1 - Alexandria (161-2322) <i>13 destroyed</i> <i>1 copy filed in Bulky Evt.</i>						SPECIAL AGENT IN CHARGE DO NOT WRITE IN SPACES BELOW <div style="border: 1px solid black; padding: 5px; display: inline-block;"> 141 7876 275 NOT RECORDED 3 DEC 19 1973 </div>	
Dissemination Record of Attached Report						Notations	
Agency	F-W Name 3-AAG					<i>3A</i>	
Request Recd.							
Date Fwd.	11-5-73 11-5-73						
How Fwd.	Liaison Liaison						
By	DGA DGA						

53 DEC 19 1973

COVER PAGE

AX 161-2322

[redacted], and [redacted]
[redacted] Procurement Section, GSA, are not being
interviewed, inasmuch as [redacted] has indicated that he
has nothing to do with the awarding of contracts.

LEADS:

DETROIT:

AT GRAND RAPIDS, MICHIGAN

Will locate and interview the [redacted]
[redacted] Immaculate Heart of Mary Church, concerning
his interceding with FORD on behalf of [redacted]
[redacted].

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WFO:

AT WESTGATE, MARYLAND

Will interview [redacted]
[redacted] Legislative Assistant to FORD, concerning any
contacts [redacted] had with him concerning promotions.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of: SA [REDACTED] Office: Alexandria, Virginia
Date: November 2, 1973
Field Office File #: 161-2322 Bureau File #: 161-9896
Title: GERALD RUDOLPH FORD

Character: SPECIAL INQUIRY

Synopsis: On 10/31/73, CURTIS R. FULTON, former Director of Finance for the Republican Congressional Campaign Committee (RCCC), was reinterviewed at his request regarding an article published in the Washington Post, dated 2/12/71, entitled "Representative Ford Failed to Report \$11,500," by JAMES R. POLK, Associated Press. [REDACTED] GSA, Furniture and Furnishings Branch, Arlington, Virginia, advises he met FORD on two occasions, both times for FORD's influence in obtaining a high-grade position with GSA. First meeting resulted in a promotion; however, his present position was obtained through merit. Other occasion, [REDACTED] did not receive promotion. [REDACTED] categorically denies discussing with FORD the awarding of contracts to any furniture company. He also denies speaking with FORD or anyone else about the awarding of GSA contracts.

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- RUC -

DETAILS:

FEDERAL BUREAU OF INVESTIGATION

I

Date of transcription 11/2/73

CURTIS R. FULTON, employed at the Indian Claims Division, General Services Administration, Room 300, 900 South Washington Street, Falls Church, Virginia, was reinterviewed at his request regarding information he may have possessed during his tenure as Director of Finance for the Republican Congressional Campaign Committee (RCCC) from January, 1967, to October, 1971. Mr. FULTON requested and was furnished a copy of the previous interview in this matter conducted with him on October 25, 1973.

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With respect to Paragraph 3 of this interview, Mr. FULTON stated he desired to clarify this paragraph, specifically the first sentence which reads as follows, "FULTON stated that the Republican National Committee (RNC) and the RCCC are two separate entities, each with the primary function of fund raising and distribution of those funds to appropriate congressmen." The change desired is as follows, "FULTON stated that the Republican National Committee (RNC) and the RCCC are two separate entities, each with the primary function of fund raising. Disbursement of those funds to appropriate congressmen by the RCCC is also a function. Mr. FULTON advised that the RNC does not disburse funds to specific congressmen as they are involved in 'party buildup' and presidential year election operations."

With respect to Paragraph 5, the last sentence, which reads, "FULTON stated that often this amount is exceeded, not so much for any one particular congressman but for a group of congressmen," this sentence should read, "FULTON stated that this amount could be exceeded."

With respect to Paragraph 8, specifically Sentence 2 thereof, which reads as follows, "FULTON remarked that any checks which might have been forwarded to GERALD FORD's Congressional District in Michigan would probably have been made payable to the Gerald Ford Congressional Committee and an account would exist in Michigan in that name," this sentence should read as follows, "FULTON remarked that any checks which might have been forwarded to GERALD FORD's Congressional District in Michigan would probably have been

Interviewed on 10/31/73 at Falls Church, Virginia File # AX 161-2322

by SA /pll

Date dictated 11/2/73

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

AX 161-2322

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made payable to any named committee in Michigan which existed."

With respect to Paragraph 9, second sentence, which reads as follows, "FULTON stated he is not aware of the individual state laws or regulations governing the maximum amount which might be disbursed to congressmen for public relations and campaign funding, and he again emphasized that the \$10,000.00 regulation stipulated above is a flexible amount and can be exceeded through the Executive Committee," this sentence should read as follows, "FULTON stated he is not aware of the individual state laws or regulations governing the maximum amount which might be disbursed to congressmen for public relations and campaign funding."

In addition, FULTON stated that subsequent to the interview conducted by the Federal Bureau of Investigation (FBI) on October 25, 1973, he was able to locate and review an article appearing in the Washington Post, dated February 12, 1971, entitled, "Representative Ford Failed to Report \$11,500.00," by JAMES R. POLK, Associated Press.

Regarding the five checks referred to in the article, totaling \$11,500.00 in contribution funds which House Republican Leader GERALD R. FORD allegedly omitted reporting, and the \$12,233.00 disbursement of post-election debts to Congressman FORD's district in Michigan, FULTON emphasized there was no relationship between the receipt of the checks referred to in the article and the disbursement of payments on behalf of Congressman FORD.

FULTON stated that he did not recall the specific checks referred to in the article, as he received numerous checks for all congressmen during his tenure as Director of Finance for the RCCC.

FEDERAL BUREAU OF INVESTIGATION

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Date of transcription _____

[redacted] of the Furniture and Furnishings Branch of the Standardization Division of the Federal Supply Service, General Services Administration (GSA), residing at [redacted], Arlington, Virginia, advised he met GERALD R. FORD on two occasions. The first time he met Mr. FORD was in June, 1971, when there was a job opening as [redacted]. At the time [redacted] was a [redacted] in the [redacted] of GSA.

[redacted] advised that [redacted] who is [redacted] Immaculate Heart of Mary Church in Michigan, knew GERALD R. FORD and arranged a meeting between FORD and [redacted]. [redacted] met with FORD for approximately 10 minutes, bringing with him his resume and requested FORD to write a letter of recommendation for him. FORD advised he would be in contact with him at a later date. Approximately one or two days later, one of FORDS's assistants telephonically contacted him and advised him that FORD had recommended him for the [redacted] position. In August, 1971, [redacted] received the above position.

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In October, 1972, [redacted] received word from the Regional Director in Kansas City, Missouri, that he was planning to retire in December, 1972. [redacted] again contacted [redacted] who made arrangements for him to meet with FORD. [redacted] stated he brought his resume to FORD and spoke with him for approximately two hours on just general topics. The Regional Director did not retire in December, 1972, and when the position became vacant in April, 1973, it was given to another individual.

Interviewed on 11/2/73 at Arlington, Virginia File # AX 161-2322
by SAs [redacted] HAW:pdh Date dictated 11/2/73

- 4 -

During his meeting with FORD concerning the opening in Kansas City, FORD told him that it would not be necessary for him to contact FORD directly and he could request any further recommendations through [redacted] his administrative assistant. Shortly thereafter, another opening arose in another region and [redacted] contacted [redacted] and did not have any direct contact with FORD. [redacted] stated he advised [redacted] he was interested in obtaining a recommendation for the opening and did not hear whether or not any recommendation was ever made.

[redacted] advised that his present position was an "Inhouse Decision" and he did not contact FORD or any other individual to influence his obtaining of the position. The position was given to him based on the fact that he had the knowledge and abilities necessary to write the specifications called for in that position.

[redacted] advised that there are two types of contracts issued by GSA. The first is an advertised contract in which sealed bids are solicited. The second type are negotiated contracts which are obtained for special purpose items where specific specifications must be met. He stated that his section writes the specifications for advertised contracts and these are not written to specific specifications. All of the contracts are handled through the Procurement Section and awards are specifically made by the [redacted] under the supervision of the [redacted]. [redacted] stated he had contacted [redacted] concerning contracts issued to the Steel Case Furniture Company, Grand Rapids, Michigan, and was advised that out of the 55 contracts awarded out of the Furniture and Furnishings Branch only two were issued to Steel Case Furniture Company.

[redacted] stated that he has been with the Federal Supply Service of GSA since October, 1967, and has not had anything to do with the awarding of any type of contracts during his entire tenure with GSA.

AX 161-2332

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Prior to his employment with GSA, he [redacted] of the Milwaukee Chair Company in Tennessee and previous to that he [redacted] the Jackson Furniture Company in Tennessee.

[redacted] stated that he has been to Steel Case Furniture Company, Grand Rapids, Michigan, on only two occasions; the first was when he had gone out there as a [redacted] to check specifications on steel furniture. On the second occasion, in March or April, 1973, he was checking a new line of executive furniture which was to be comparable with a steel clad line which had been designed by General Fireproofing. He had gone to Steel Case Furniture Company to check the specifications on the new line and has since also interested the Drexel Company in bidding for production of this new line. He further advised that specifications for this new line have not been drawn up to date and no contract has been issued for production of this furniture.

[redacted] categorically denied discussing with FORD any furniture specifications and the awarding of any contracts to any furniture company. He also advised that, in his opinion, he would doubt seriously if FORD has any knowledge concerning the specifications which must be met for a GSA furniture contract. He further denied speaking with anyone about the awarding of GSA contracts.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE DETROIT	OFFICE OF ORIGIN BUREAU	DATE 11/2/73	INVESTIGATIVE PERIOD 11/1/73
TITLE OF CASE GERALD RUDOLPH FORD		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 15px;"></div>	TYPED BY clc
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 03-14-2008 BY 60324/UC/BAW/STP/bls		CHARACTER OF CASE SPIN	

b6
b7CREFERENCE: Detroit report of SA 10/31/73.

- RUC -

ACCOMPLISHMENTS CLAIMED						<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES			

APPROVED <i>NTW/sep</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 6 - Bureau 1 - Detroit (161-1355)		<div style="border: 1px solid black; padding: 5px;"> 161-9894-247 </div>	
1 Copy filed in Bulky Encl.		<div style="border: 1px solid black; padding: 5px;"> NOT RECORDED 3 DEC 13 1973 </div>	

Dissemination Record of Attached Report				Notations <i>9/1</i>
Agency	1 - <i>W/Unit</i>	3 - <i>Asst. Dir.</i>		
Request Recd.				
Date Fwd.	11-5-73	11-5-73		
How Fwd.	<i>Letter</i>	<i>Letter</i>		
By	<i>DDA</i>	<i>DDA</i>		

53 DEC 19 1973

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:
Date:

SA [REDACTED]
November 2, 1973

Office: DETROIT, MICHIGAN

Field Office File #: 161-1355

Bureau File #:

Title: GERALD RUDOLPH FORD

Character: SPECIAL INQUIRY

Synopsis:

[REDACTED] interviewed and advised that he knows of no derogatory information concerning appointee. He stated he had heard unsubstantiated rumors that Mr. FORD was on Board of Directors of the Union Bank of Grand Rapids, Michigan, but [REDACTED] later determined that these rumors were untrue. [REDACTED] Union Bank of Grand Rapids, advised appointee never served on Board of Directors, Union Bank of Grand Rapids.

DETAILS:

- RUC -

DE 161-1355
EHH/clc - 1

The following investigation was conducted by SA [] and SA [] on November 1, 1973, at Detroit, Michigan:

[], Detroit, telephone [], Public Relations Counseling Firm, advised he does not know Mr. GERALD FORD personally; however, he had heard rumors through friends of his that Mr. FORD was on the Board of Directors of the Union Bank of Grand Rapids, Michigan, some time in the past. [] declined to furnish the identities of the individuals who initiated this rumor. [] further advised that [] is the [] of the Union Bank of Grand Rapids and [] stated that [] has a reputation as an aggressive, "high pressure" businessman in the Grand Rapids area. [] further stated that in the past, it had been rumored that [] might be involved in some questionable business practices. [] stated that these business practices, to the best of his knowledge, did not involve the lending of money at excessive interest rates, but may have involved a subsidiary of the Union Bank of Grand Rapids being in conflict with existing state insurance regulations.

[] stated that he was previously employed by the Detroit Free Press, Detroit, a daily newspaper, [] and that when he was contacted by friends of his still employed by the news media, he passed this information concerning Mr. FORD's association with the Union Bank of Grand Rapids and with [] along to them for lead purposes only. Since he, [] had initially heard this information he has checked it out through friends, who he declined to identify, in Grand Rapids and has found out that there is no basis in fact to the rumor that Mr. FORD is affiliated in any manner with the Union Bank of Grand Rapids. [] has determined, to the contrary, that Mr. FORD is not associated with the Union Bank of Grand Rapids, nor involved in any of its business practices.

[] stated he is not aware of any derogatory information concerning Mr. FORD and that the initial rumors he heard concerning Mr. FORD's involvement with the Union Bank of Grand Rapids and [] have proved to be false. [] stated he is not aware of any improprieties whatsoever on the part of Mr. FORD that would preclude him from being considered for the Vice Presidency.

DE-161-1355

/clc - 1

The following investigation was conducted at Grand Rapids, Michigan, on November 1, 1973, by SA [REDACTED]

[REDACTED], Union Bank of Grand Rapids, advised that GERALD R. FORD is not now, nor has he ever been, on the Board of Directors of the Union Bank of Grand Rapids. [REDACTED] also advised that Mr. GERALD FORD has never been employed by the Union Bank of Grand Rapids in any capacity.

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[REDACTED] advised that [REDACTED] is [REDACTED]
[REDACTED], Union Bank of Grand Rapids.

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REFERENCE: WFO report of SA [redacted] dated 11/1/73.

- P -

C) R.R.
Pg 31-38

It is noted that investigative period in this report extends prior to referenced report because of unavailability of total number of private bills submitted by FORD to the House Committee on the Judiciary.

LEAD: WASHINGTON FIELD - Will re-interview FORD concerning allegations reported in interview of [] and possible contribution received from Seafarers Union .

53 DEC 19 1973

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Copy to:

Report of:

[REDACTED]

Office: Washington, D.C.

Date:

November 2, 1973

Field Office File #: 161-9324

Bureau File #: 161-9896

b6
b7c

Title:

GERALD RUDOLPH FORD

Character:

SPECIAL INQUIRY

Synopsis:

Private Congressional relief bills submitted by FORD were reviewed with summaries set forth. [REDACTED]
[REDACTED] General Services Administration, recontacted with additional comments provided. A profile of FORD's Congressional record as contained in a publication under RALPH NADER's direction is enclosed.

- P -

ENCLOSURE:

One (1) copy of GERALD R. FORD - REPUBLICAN REPRESENTATIVE FROM MICHIGAN, written by S. C. MC ELROY, from "Ralph Nader Congress Project - Citizens Look at Congress."

WFO 161-9324

RTT:glg

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Committee on the Judiciary,
U. S. House of Representatives

The following investigation was conducted by
SA RICHARD T. TAYLOR, JR., on October 25, 1973:

GARNER J. CLINE, Counsel, Subcommittee Number 1, advised his subcommittee has general jurisdiction over judiciary bills relating to immigration and nationality. He made available from Archives a partial list of private relief bills, which had been submitted by Representative GERALD R. FORD during the period January, 1949, through January, 1952. The remainder of private bills submitted by Representative FORD will be made available for review when they are received from Archives. The available, partial list of bills is as follows:

ANN IRENE FEIKEMA, HR110

This bill was initiated by Representative FORD on January 6, 1942, the 81st Congress, First Session. Mrs. FEIKEMA, a native of Ireland, married HAROLD F. FEIKEMA and was barred from entry into the United States because of a previous conviction and sentence in Ireland for crimes involving moral turpitude. These crimes included larceny, drunkenness, and prostitution. HAROLD F. FEIKEMA, a paralytic veteran of World War II, was hospitalized at Grand Rapids, Michigan, at the time of Representative FORD's bill. The bill was enacted into public law on May 2, 1950, and Mrs. FEIKEMA was granted permanent residence status.

TRYNTJE BIEREMA, HR7170; HR1247

This bill was introduced as HR7282 by Representative FORD on February 6, 1950, in the 81st Congress, Second Session. The bill was referred to the Committee on the Judiciary and no action was taken.

WFO 161-9324

RTT:glg

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HR1247 was reintroduced by the appointee on July 9, 1951, in behalf of BIEREMA and accompanied S121, which had previously been submitted by former Senator HOMER FERGUSON in BIEREMA's behalf. BIEREMA, a Netherlands citizen entered the United States as a visitor in 1947 for a period of six months. Shortly following her entry into the United States, she obtained employment as a housekeeper in behalf of one Mrs. WINFRED L. ETTSVOLD, a paralytic, residing in South Dakota. Representative FORD's bill was tabled by the Committee on the Judiciary when notice was received that Senator FERGUSON's bill was **enacted** by the Senate Committee on the Judiciary.

CORNELIUS VER SLUIS; HR7282

This bill was introduced by Representative FORD on February 13, 1950, on behalf of VER SLUIS, a Netherlands citizen, born July 31, 1929, and a student at Calvin College, Grand Rapids, Michigan. The file indicated VER SLUIS' intent to become a missionary and to serve in the Salvation Army. No visa numbers for permanent residence were in existence at the time of the bill, and permanent residency status was afforded VER SLUIS on the bill's presentation to the House Committee on the Judiciary, September 5, 1950.

PAMELA LYN JOGL (EVETINE MARIA KREN'UER); HR8013

This bill was introduced by Representative FORD on April 4, 1950, 81st Congress, Second Session, for the relief of PAMELA LYN JOGL and petitioned she be considered the natural born daughter of Major JOSEPH WILLIAM JOGL, United States Army, and Mrs. JOGL, who were at the time in Chicago, Illinois. This bill was referred to the Committee on the Judiciary and no evidence of further action by the Committee was noted.

WFO 161-9324

RTT:glg

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HILDEJARD HERMANN NELSON; HR8861, HR6086

This bill in behalf of HILDEJARD HERMANN NELSON was originally instituted under HR8861 on June 1, 1950, and was referred to the Committee on the Judiciary. The bill sought to permit permanent residence in the United States for NELSON, who had previously been convicted for an unspecified felony. No action was taken on the bill. HR6086 was submitted by the appointee on January 16, 1952, in behalf of NELSON. This bill also was referred to the Committee on the Judiciary, and no action by the Committee was indicated.

JESUS JUAN LLANDERAL; HR9878, HR1248

This bill was originally instituted by the appointee on December 6, 1950, and was referred to the Committee on the Judiciary on that date where no action was taken regarding it.

The appointee instituted HR1248 on January 29, 1951, in behalf of LLANDERAL, who had entered the United States as a Phillipine citizen on March 11, 1949, for a three month visit. The bill sought to permit permanent residence status for LLANDERAL who, during the Japanese occupation of the Phillipine Islands during World War II, had actively engaged in smuggling medical supplies to American prisoners of war there. The bill was **enacted** by the Committee on the Judiciary on January 29, 1951 and LLANDERAL was afforded permanent residency in the United States.

RUTH ANNAMARIA DINSE; HR3218

This bill was introduced on March 13, 1951, in behalf of DINSE, a German citizen, who had been admitted

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in a student status to the United States on September 17, 1950. The bill sought permanent residence status and was referred to the Committee on the Judiciary. No further action was noted in the file.

Dr. YNG TAK CHAN; HR3726

This bill was introduced on April 13, 1951, and sought permanent residency status for Dr. CHAN. The bill was referred to the Committee on the Judiciary and no further action was noted.

GEORGIA CHRISTOS DEMARELOS; HR4355

This bill was introduced on June 6, 1951, and sought permanent residency status for DEMARELOS under the Displaced Persons Act existing at that time. The bill was referred to the Committee on the Judiciary and no further action was noted.

MINGLAN HAMMERLIND; HR4397

This bill was introduced on July 12, 1951, seeking to declare HAMMERLIND the natural born alien child of ELSA HAMMERLIND, a missionary of the Covenant Mission Churches in America, Grand Rapids, Michigan. MINGLAN HAMMERLIND was a twelve year old Chinese national befriended by Miss HAMMERLIND when serving as a missionary in China. This bill was passed by the Committee of the Judiciary, April 13, 1952.

YOSHIKO OKURA; HR5521

This bill was introduced on September 27, 1951, and sought an entry visa for Miss OKURA, the fiancée of THOMAS W. WILLIAMS, a member of the United States Air Force residing in Grand Rapids, Michigan. The bill was referred

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to the Committee on the Judiciary, and no further
action on it was noted.

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The following review of private bills, which are the remainder of private bills submitted by Representative FORD, was conducted at the Committee on the Judiciary, U.S. House of Representatives, on October 31, 1973.

ALBERT RIEKSTS, HR9151

The bill was initiated by Representative FORD on February 7, 1956, for the purpose of providing permanent residence status for ALBERT RIEKSTS. The bill was referred to the Full Committee on that date and no further action on it was noted.

DORIAN WHANG and BONITA WHANG, HR1476

The bill was initiated for the purpose of declaring DORIAN WHANG and BONITA WHANG as the natural born alien children of Reverend and Mrs. VINCENT C. LICATESJ. The bill was referred to the Full Committee on January 9, 1963, and no further action was noted.

NG THLAT HOR and NG THLAT KEUNG, HR1477

This bill was for the **relief** of NG THLAT HOR and NG THLAT KEUNG and sought permanent residence status for them. The bill was referred to the Full Committee on January 9, 1963 and no further action was noted.

GEORGIA CHRISTOS DEMARELOS, HR3620

This bill was for the **relief** of GEORGIA CHRISTOS DEMARELOS, a Greek citizen, whose brothers reside in Grand Rapids. The bill was referred to the Full Committee on March 2, 1953 and no further action was noted.

KIYOKO SATOH DEKKER, HR6983

This bill was for the **relief** of DEKKER, a 23-year-old Japanese citizen, who was admitted in a student status to the United States on September 29, 1952 and married an American citizen. The Immigration and Naturalization Service found DEKKER to be eligible under a Non-Quota citizen. No action was taken by the Committee.

THEODOROS SYMEONIDIS, HR10249

This bill was for the **relief** of SYMEONIDIS and was referred to the Committee on August 16, 1954 where no action was taken on it.

ALICE DUCKETT, HR1005

This bill for the **relief** of DUCKETT was favorably acted upon by the Full Committee and was enacted into Public Law 595 on April 10, 1956.

LEUNTJE JANSSENS, HR1007

This bill was referred to the Full Committee on January 5, 1955 and no additional action was noted.

AGADA FEDELE TUROWSKI, HR8028

This bill was referred to the Full Committee on January 3, 1956 and no additional action was taken on it.

MARINUS EVERHARDUS BOS, HR8029

BOS entered the United States as a German Seaman on July 1, 1950 and was deported in June, 1951. During this time he married an American citizen. The bill was referred to the Full Committee on January 3, 1956 and no action was taken on it.

LIU GUN CHUNG, HR8189

This bill was referred to the Full Committee on January 5, 1956 and no action was taken on it.

HJALMAR JOHANSEN, HR9152

This bill referred to the Full Committee on February 7, 1956 and no further action was taken.

ALBERT RIEKSTS, HR1406

A similar private bill was initiated by Representative FORD in behalf of RIEKSTS in February, 1956. This bill was referred to the Full Committee on January 3, 1957 following which the Immigration and Naturalization Service found RIEKSTS to be ineligible for admittance to the United States. No further action was noted by the Committee.

FRANCESCO TERRANOVA, HR5911

TERRANOVA, an Italian citizen, had previously been convicted of a crime involving moral turpitude in Sicily, which fact had been concealed by TERRANOVA when admitted to the United States. TERRANOVA's brother, FEDERICO, was the owner of a grocery store in Grand Rapids, Michigan. Following an INS investigation, the bill was referred to the Full Committee on March 12, 1957. The file indicated that the Visa Application in behalf of FEDERICO TERRANOVA was then pending at the American Consulate, Palermo, Sicily. No further action by the Committee was noted.

ALBERTINE SUZANNE GIRARD BOYKO, HR7078

This bill was referred to the Full Committee on April 29, 1957 and no further action was noted.

HENDRICK K. HARMS, HR8581

This bill was referred to the Full Committee on July 8, 1957 and no further action on it was noted.

JACOB YPE HARMS, HR8666

HARMS, an eight-year-old Netherland citizen, had been refused a Visa to reside with his grandparents in Grand Rapids because of a congenital brain injury. The bill was referred to the Full Committee on July 11, 1957 and no further action was noted.

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MAH NAY FONG, HR11570

This bill was referred to the Full Committee on March 20, 1958 with no additional action.

MAH NEY FONG, HR2066

This bill was referred to the Full Committee on January 9, 1959 with no additional action.

NG THLAT HOR and NG THLAT KEUNG, HR6216

This bill was referred to the Full Committee on April 8, 1959 and no additional action was noted.

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MAH NEY FONG, HR1636

Bill referred to the Full Committee, January 3, 1961, and no further action was taken.

NG THALT HOR and NG THLAT KEUNG, HR1637

This bill was referred to the Full Committee, January 3, 1961, and no additional action was taken.

KIM JUNG IM, HR9589

KIM was a two-year old Korean orphan, and his adoptive parents resided in Grand Rapids, Michigan. This bill sought to provide IM nonimmigrant status to enable IM to reside with his parents. The bill was referred to the Full Committee January 10, 1962.

MAH NEY FONG, HR5299 (HR2066)

This bill was for the relief of MAH NEY FONG, who had entered the United States with a fraudulent passport and who, at the time of the petition, was a businessman in Grand Rapids. The bill was referred to the Full Committee, January 10, 1962.

TIM L. YEN, HR575

This bill sought to have YEN declared to be the natural born alien child of his parents, Mr. and Mrs. DON YEN of Grand Rapids. The bill was referred to the Full Committee, April 22, 1963, and no further action was taken on it.

DORIAN WHANG and BONITA WHANG, HR1293

DORIAN WHANG and BONITA WHANG were two Korean orphan children and the petition sought to declare them the natural born children of their adoptive parents.

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An INS report indicated that subsequent to the initiation of the private bill, the children were naturalized as American citizens on January 5, 1964, and no further action was taken by the Committee.

NG THALT HOR and THLET KEUNG HR3522 and HR1477

HOR and KEUNG were the illegitimate sons of a United States serviceman. Subsequent to the filing of the bill, the Immigration and Naturalization Service found them to be eligible for entry into the United States under a Korean quota. No further action was taken on the bill.

GERHERD WOLF, HR5900

This bill was referred to the Full Committee, March 5, 1965, and no further action was noted.

Miss JALILEK FARAH SALAMEH EL AHWAL, HR14754

This bill was referred to the Full Committee, April 28, 1966, and no further action was noted.

Miss JALILEK FARAH SALAMEH EL AHWAL, HR2987

This bill was referred to the Full Committee, January 18, 1967, and no further action was noted.

AI BOK CHUN, HR14380

This bill was referred to the Full Committee, December 11, 1967, and no further action was noted.

The following bills were referred to the Full Committee on the dates noted, and no further action was taken regarding them.

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Miss BEATRICE (PI CHU) CHANG, HR18425:

July 9, 1968

JACK A. ZONDAG, HR20528:

October 11, 1968

AI BOK CHUNG, HR1708:

January 3, 1969

Mrs. THADDEUS OHTA, HR1709:

January 3, 1969

DOMENICO PIEMONTE, HR5381

Comment regarding the private bill in behalf
of DOMENICO PIEMONTE has previously been reported in
WFO investigation in this matter.

General Services Administration (GSA)

[redacted] GSA, advised SA MAURICE F. DONEGAN, Jr. on November 1, 1973, that his auditors and investigators assigned to check GSA procurement procedures involving the Steel Case Furniture Company, Grand Rapids, Michigan, have begun their investigation. He does not know when they will furnish him the preliminary results of their investigation.

[redacted] advised that an [redacted] named [redacted] (First Name Unknown) of the Chicago Daily News had furnished him with information on alleged connections between Representative GERALD R. FORD and the Steel Case Furniture Company of Grand Rapids, and rumored assistance of FORD in securing GSA contracts for the Steel Case Company. [redacted] additionally requested that if [redacted] is interviewed, his, [redacted], identity be protected.

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[redacted] advised that the circumstantial evidence possessed by the Chicago Daily News in these allegations concerns FORD's association with the Steel Case Company and their being awarded GSA contracts, and also FORD's acquaintanceship with [redacted] of GSA and [redacted] former Regional Director of the Office of Economic Opportunity in Chicago.

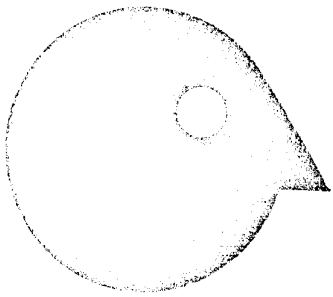
[redacted] advised that [redacted] of the Furniture and Furnishings Branch of the Standardization Division of the Federal Supply Service, denied any irregularities in the conduct of his office.

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On November 1, 1973 a copy of GERALD R. FORD -
REPUBLICAN REPRESENTATIVE FROM MICHIGAN, written by S.C.
MC ELROY, from "Ralph Nader Congress Project - Citizens
Look at Congress" was obtained from Grossman Publishers,
Incorporated, 2000 P Street, N.W. A copy of this publi-
cation is enclosed.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 03-14-2008 BY 60324/UC/BAW/STP/bls

Ralph Nader Congress Project Citizens Look at Congress



Gerald R. Ford

Republican Representative
from Michigan

161-9074-47
written by S. C. McElroy
ENCLOSURE

August 1972

Introduction

Congress at full capacity is composed of 535 members, 100 of them in the Senate and 435 of them in the House of Representatives. This is a profile of one member of Congress. It is part of the largest study of that institution ever conducted--an effort to share with citizens a better understanding of how the members and committees of our national legislature operate both among themselves and in relation to outside forces working on the Congress.

So important is the stake which Americans have in Congress that, like other fundamentals, it is rarely examined. Although small, in comparison with the giant Executive branch, Congress is the preeminent branch of our government under the U.S. Constitution. It is, in a phrase, the "go or stop" branch. Federal agencies and departments in the Executive branch grow in number and power because Congress has provided them with the funds and authority to do so. If the federal courts are to have more judges and facilities to meet their responsibilities, it is again the Congress which must provide them with the funds and the laws to interpret. Taking the Constitution as written, only Congress has the authority to declare war, impose taxes, provide for the public health, safety, and welfare, and allocate what presently is an annual budget of some \$250 billion taxpayer dollars. Indeed, the federal legislature should be the fountainhead branch of the federal government.

But Congress has other distinctive realities. The Executive branch has been increasingly dominating Congress, taking away its power and seizing the legislative initiative. The White House and the federal agencies and departments systematically manipulate or block the Congress from monitoring what they are doing. In addition, such factors as powerful special interests, influential campaign contributions, archaic rules, secrecy, understaffing, and inadequate information contribute to a Congress which does not lead but is led as it continues to abdicate its constitutional authority and leadership role.

With public skepticism about politicians at somewhere near an all-time high, the challenge shifts away from politics to citizenship and its assertion toward greater involvement and self-government. High on this agenda must be a more equitable, responsive, and productive congressional performance. Nothing remotely compares with Congress as the institution which can articulate the values and launch the energies and resources to advance the course of justice and happiness for all Americans. It can be the practical pulse of the American dream on its way to a speedier reality.

The first step toward bridging the gap between promise and performance in Congress is for citizens to obtain information about the men and women who make up this legislature. Taken together they are the most important group in the country. But most people have never heard of 95 percent of them. What little information about these lawmakers that reaches the general public usually comes from the members themselves or their opponents. These profiles provide information about the legislator which can help the reader make pertinent judgments, ask more meaningful questions, and seek more detailed facts and evaluations about the performance of these members.

The profiles are one portion of the overall Congress Project. In addition, there will be forthcoming numerous volumes of readable and precise materials on the major congressional committees and key topics such as campaign financing, lobbying, rules and procedures of the Congress, relationship with the Executive branch, and a citizens handbook on Congress for people to use. Hundreds of volunteer field researchers in 50 states gathered data and conducted interviews, while about three hundred researchers, writers, editors, and typists prepared the many thousands of pages of individual profiles and committee and topic reports. While acknowledging the dedicated assistance of others, the individual authors of these profiles assume full responsibility for their contents and their attributions.

The Congress Project has worked in a strictly non-partisan manner as a citizens report to the people. We hope that many people in every state will continue to keep us informed about members of Congress as part of an ongoing program to encourage the development of a Congress worthy of the highest efforts and the greatest ideals of the land.

Ralph Nader
Robert Fellmeth

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Let it be said at the outset, one who has known Ford since he came to Congress in 1949 might go so far as to say that he would rather be Speaker than President.

--William F. Pyper, Washington Bureau Chief
Flint Journal, March 30, 1967

A Polaroid camera perched on a tripod leans next to a grandmother clock in Representative Gerald R. Ford's Capitol office. If you and your family are down from his fifth district in Michigan, the House Republican Minority Leader will pose with you for a picture. If he's out, an obliging staff member takes your picture seated behind his desk in his red leather high-backed swivel chair looking out onto his view of Pennsylvania avenue and all those monuments.

"You always feel important; it's awe-inspiring," confessed Jean McKee, Ford's past and present Democratic opponent in the fifth district and a several-time visitor to his Washington office.¹

He doesn't stop with a handshake or a picture. The Michigan family can arrange to take a tour of the FBI or obtain a special pass through the White House. Mom can pick up a copy of the Republican Congressional Cook Book with a full-length portrait of her man in Congress on the back along with his Declaration of Republican Principle and Policy. The kids can stick the "We Visited Congressman Jerry Ford" bumper sticker on their car before they head out to see the sights listed in the Gerald R. Ford. . . Welcomes You to Your Nation's Capitol guidebook.

It's only a day's journey from our district to the Capitol," Administrative Assistant Frank Meyers explained. "So we get a large number of visitors." Ford provides the "extras" at his own expense.²

Why all the fuss? After all, Grand Rapids and its environs is considered back water safe isn't it? Ford's actions gear his future toward a Republican Party that's a majority party with Ford as its leader in Congress as Speaker of the House. As minority leader for the past seven years, he's right in line. "That's his goal, of course--Speaker of the House," agreed Democratic opponent Jean McKee. "It's just very widely accepted here in Grand Rapids. That's his goal."

First, he has to make sure he's regularly reelected from the two-county (Ionia and Kent) fifth district in southern Michigan. It isn't as though he's ever had much of an uphill fight. Since his first election in 1948, Ford has always won over 60 percent of the vote.

He began his winning game plan early. The rugged six-footer played football for the University of Michigan as a undergraduate and was elected Michigan's most valuable player in 1934. He helped put himself through Yale Law School working as an assistant football coach. Then after a four-year stint in the Navy, the young lawyer returned to Grand Rapids, the fifth district's largest city, to practice law. He soon became identified with a local government anti-bossism movement and was elected a delegate to both the Kent County and state Republican

conventions in 1946 and 1948. The Grand Rapids Junior Chamber of Commerce awarded him their Distinguished Service Award for participation in various community projects in 1948. That year, Ford's stepfather, Republican chairman of Kent County, along with Senator Arthur H. Vandenburg (R-Mich., 1921-1950), urged Ford to run for Congress.

The district traditionally went Republican, so his first primary provided Ford's most important campaign. He opposed Representative Bartel (Barney) J. Jonkman. The 35-year-old Ford appealed to younger voters and harped at the "pre-Pearl Harbor Isolationism" of his opponent.³ Jonkman's stubborn isolationist stance embarrassed some Grand Rapids Republicans; they voted for Ford. One was Vandenburg, a native of Grand Rapids who served as president pro tempore of the Senate in 1947 and 1948 and who was a leader in the Republican movement towards internationalism, supporting the U.S. entry into the United Nations and Truman's Marshall Plan to give economic aid to war-torn Europe.

"Gerry asked me to marry him in February 1948," the former Elizabeth Bloomer remembered. "He said, 'there's something I can't tell you now, but we can't be married until September.'" Later, he confided his plans to her, and the Fords married in October. "I stuffed envelopes in that campaign. It was the most mixed-up three months I've even been through," his wife recalled. The voters chose youth and political moderation over old age and arch-conservatism, and the Fords wound up in Washington.

RISE TO HOUSE LEADERSHIP

Once there, Ford's rise to power in the House resembled his first successful congressional campaign. Both times Ford took advantage of a period when his party looked for young blood with fresh ideas to lead them. As before, Ford had made friends and won loyalties that paid off at the ripe moment. His quiet and industrious work on committees and low pressure personality began to produce allies almost immediately. After a two-year hitch on the House Committee on Public Works, he won an assignment to the House Committee on Appropriations, the watchdog over government spending. He served as a member of that committee's Subcommittee on the Department of Defense; before long, Republican colleagues looked to him as the leading Republican expert on defense budgets. He also served on Appropriations Committee Subcommittees on Foreign Aid and on the Central Intelligence Agency.

As early as 1958, Ford's name came up as a possible candidate for House Republican leader. Biding his time, Ford urged friends to back then Representative Charles A. Halleck (R-Ind.) in a power move that ousted Representative Joseph W. Martin, Jr. (R-Mass.) from that slot in 1959.

By 1963 the typical house member was a 52-year-old white male who had served in the military.⁴ Ford fit the mold of the times better than incumbent chairman of the House Republican Conference, Charles B. Hoeven. The 69-year-old Hoeven had held the post of chairman since 1957 with the support of Minority Leader Halleck and Minority Whip Leslie C. Arends (R-Ill.)

In a surprise, secret vote, a group of young House Republicans successfully vaulted the 49-year-old Ford into the post. The vote put Halleck and Arends on notice that their more youthful colleagues wanted a little more aggressive, dynamic leadership for their party. The young Republicans who backed Ford felt they had often been closed out of the important policy decisions. The conference served as the governing body of the Republican party in the House and chairman stood third in line for House party leadership. But the position had been largely ceremonial prior to Ford's takeover. As chairman, Ford used the conference to formulate Republican positions on such issues as nuclear testing and increased minority staffing.⁵

Within two years, Ford campaigned for House leadership himself. He again pushed the assets of youth and activism and attacked Republican weaknesses of age and inactive negativism--the same strategy he used successfully in his first congressional campaign and first leadership

District Voting History

	1966			1968			1970		
	Name	%	Vote*	Name	%	Vote*	Name	%	Vote*
House Democratic Primary	Catchick	Unopposed		Howard	Unopposed		McKee	Unopposed	
House Republican Primary	Ford	Unopposed		Ford	Unopposed		Ford	Unopposed	
House General Election	Ford (R)	69	88	Ford (R)	63	105	Ford (R)	61	88
	Catchick (D)	31	40	Howard (D)	37	62	McKee (D)	39	55
Senate General Election	Griffin (R)	67	87	No election held			L. Romney (R)	39	56
	Williams (D)	33	43				Hart (D)	61	87
Gubernatorial Election	G. Romney (R)	70	92	No election held			Milliken (R)	60	87
	Ferency (D)	30	39				Levin (D)	40	58
Presidential Election	No election held			Nixon	54	94	No election held		
				Humphrey	39	68			
				Wallace	7	12			

figure in thousands

Sources: "1966 Elections", Congressional Quarterly Weekly Report, XXIV (November 11, 1966); "Complete Returns of the 1968 Elections by Congressional District", Congressional Quarterly Weekly Report, XVII (June 6, 1969); Politics in America, IV (Washington, D.C.: Congressional Quarterly, Inc., 1971); Richard M. Scammon, America Votes (Washington, D.C.: Congressional Quarterly, Inc., 1966, 1968, and 1970).

fight. A wave of discontent over the Republican party's heavy losses at the polls in 1964 swept the House and Ford moved in. Youthful Republicans of divergent ideologies such as Melvin Laird from Wisconsin, Charles Goodell (New York), Silvio O. Conte (Massachusetts), and Robert Griffin (Michigan), combined with older Republicans in a secret 73 to 67 vote to elect Ford minority leader in 1965. Griffin and Goodell were his campaign managers. Both subsequently moved to the Senate.

The Old Guard held out turning the leadership over completely to the youth movement. Members didn't go along on the minority whip vote. They voted to keep long-time Minority Whip Leslie Arends instead of electing Ford's personal choice for whip, Peter H. B. Frelinghuysen, of New Jersey.

Ford plunged into the task of promoting Republicans and Republican issues in earnest. "The former football player is the new head coach of a disorganized squad of 140 politicians," the New York Times declared at his takeover. "His first task is to make a team of the squad

and he immediately promised each of the 140 Republicans would be a first-team player. . . . Nobody is going to sit on the bench. . . . all will be 60 minute ball players from the beginning."6

REPUBLICAN LEGISLATIVE PROGRAM

The 1966 elections increased the Republicans voting strength in the House and the ex-football hero and his backers took off with a partisan sense of mission. Ford along with Representative Melvin Laird laid down the "Constructive Republican Alternatives Policy." The idea was to promote alternatives to President Johnson's War on Poverty rather than merely nay-saying. More than prior regimes, these Republican House leaders stressed the development of a Republican legislative program. To them, the ball game depended on increasing Republican congressional membership and winning the 1968 presidential election.

Even if it meant a short-term legislative loss, the activist Republicans searched out ways to dramatize some central party theme. Early in 1967, Ford's men overrode Old Guard urgings to collaborate with Dixiecrats and defeat the bill to raise the federal debt ceiling. Instead, they used a plan which they believed highlighted what they saw as Johnson's "budgetary gimmickry."

They became bolder in dealing with their Senate counterparts and started playing a more dominant role in the party's central policy-making council, the 32-member Republican Coordinating Committee. According to several participants, the committee's brain trust came from the House men and their staff. "Those guys are so revved up it gives me the quivers just to look at them," a glum House Democrat observed at the time.

The young Republican group's interests reflected a conservative leaning. Revenue sharing offered an alternative to big federal government and held possibilities for a return of power to the states. Their foreign policy stressed anti-communism. However, their ideology leaned most heavily towards the pragmatic with the ultimate goal of electing as many Republicans as possible. They conferred with academic authorities and hired pollsters to garner ideas for alternative legislation and to insure their proposals jibed with public opinion. If it looked as if it would bring more votes for Republicans, they would step a little to the left. Immediately after they gained power in 1965, Ford's people pressed for their own health care plan in place of Johnson's Medicare. Although their plan lacked what they saw as the socialistic provisions of the Democrats' measure, it still had more liberal provisions than any previous Republican-backed measure. In 1967, they proposed a 44-point legislative program to change their party's nay-sayer image during the Democratic administration. Even the liberal Washington Post found praise for the plan.

"Proposals for low-income housing aid, for full disclosure of Congressional campaign finances and for new federal weapons to prevent 'crippling' strikes may not get far legislatively, but they promise to make dandy 1968 campaign issues," the Wall Street Journal predicted on March 14, 1967. Sure enough, the next year the Republicans with Ford as permanent chairman of the 1968 Republican National Convention helped put their man--Richard Nixon--into the White House.

Along the way, Ford's leadership style combined a calm, forbearing manner with a strong pragmatic sense and lack of arm-twisting. Unlike previous minority leaders, Ford listens to all viewpoints and has a reputation of even-handedness. He tends to mediate impartially and has stayed neutral in ideological disputes and avoided recriminations against those who opposed him.

"My role," he declared, "is to get all the energy and talent we've got channeled in the same direction rather than working at cross purposes."7 Both ends of his party--right and left--have put this channeling to the test. Neither has felt completely comfortable with him at the helm. The "liberals" or "moderates" have sniped about his 'ex-football player intellect' and argued that he doesn't really understand today's problems. "He's not a gem of a

District Facts

	1960 District	1970 District	1970 State	USA Avg.
Total population	461,906	456,892	8,875,083	478,070
White	96.6%	94.2%	88.3%	87.5%
Negro	3.2%	5.2%	11.2%	11.1%
Other	0.2%	0.5%	.5%	1.4%
Urban	74.0%	78.3%	73.8%	73.5%
Rural	26.0%	21.7%	26.2%	26.5%
Metropolitan	NA	90.0%	76.7%	68.6%
Inside central city	NA	43.2%	27.8%	31.4%
Outside central city	NA	46.8%	48.9%	37.2%
Non-metropolitan	NA	10.0%	23.3%	31.4%
Median age	27.2	25.7	26.4	28.3
Housing units/1000	311.6	319.6	333.0	335
Median value, owner occupied	\$12,000	\$15,700	\$17,500	\$17,000
Median monthly rent	\$69	\$88	\$95	\$90

Sources

U. S. Department of Commerce, Bureau of the Census, Congressional District Data Book: Districts of the 88th Congress (Washington, D. C.: Government Printing Office, 1963).

U. S. Department of Commerce, Bureau of the Census, Congressional District Data, Districts of the 92nd Congress, by state and district (Washington, D. C.: Government Printing Office, 1971).

philosophical thinker," a Republican supporter who declined to be identified concurred. "He's a pragmatist and doesn't deal in the luxury of mental exercise."⁸

But his practice of holding off on big decisions until all sides had their say reassured those who feared his takeover meant a conservative clique ruled the Republicans in the House.

Conservatives note Ford's early support of foreign aid and don't feel quite at home with him. Since his first leadership election, when he tried unsuccessfully to dump incumbent Old Guard Minority Whip Les Arends, Ford has learned to rely on him to keep communications open with Republican conservatives. "Les is kind of the old ward healer," said a Republican colleague. "Jerry Ford is a theoretician. Arends counts the votes and puts them on the line. He's much more at home with the more conservative group," the congressman contended.

"Having Les as his Number Two guy gives Ford more flexibility." Without him, the younger minority leader "would pretty much have lost contact with the conservatives," he maintained.⁹

Ford has managed to walk the middle road enough that all but about ten House members usually follow the Republican leadership.¹⁰

"Just to keep people like H. R. Gross (Iowa), J. Schmitz (California), Peggy Heckler (Mass.), and Don Riegle (Michigan) working together short of committing fratricide means he has to be reasonably successful," a supporter maintained. "Ford manages it, and that," said the fellow Republican, "is one of his strongest leadership skills."

In ideological disputes, Ford opts for party loyalty. Citing the congressman's 70 percent batting average of voting with the President, Ford defended maverick Republican Pete McClosky, (Calif.). "I've been very grateful to Pete," Ford said in his defense, observing his vote record was "better than a lot of Republicans."¹¹ Don Riegle, Republican congressman from Michigan, offered his own example of Ford's team approach to the leadership. "He's a man of his word," Riegle said, describing how Ford campaigned for him in spite of their extreme differences

over the war.¹²

"When some guys have wanted something and Jerry holds the key to it, he let's them know it's a two-edged sword," one Republican observed. At the House Republican Conference meetings, Ford attempts to make his pitch aim at the trouble spots--members he figures will disagree. "It's what a good salesman does," a conference member said.

Does he use his appointment powers to influence colleagues? "In a serious, jocular way," one Republican congressman answered. "He may say, 'Look, if you want cooperation from me, I want cooperation from you.'" The same representative vowed he had never seen any "quid pro quo" in Ford's leadership operation. "I've seen him bring someone around many times without promises or threat," he recalled.¹³

Ford's efficient response to members' requests, interests and concerns help him win their cooperation. Joseph W. Sullivan wrote in the Wall Street Journal on March 14, 1967:

Mr. Ford commands enough good will and trust among all the House factions to win sympathetic consideration for any course of action he ultimately adopts. And he's also taking more initiative as a cross-pollinator, implanting divergent party elements with each other's thoughts and searching for a common strain.

Although Ford won his most recent two-year term by acclamation in the 1970 Republican caucus, the moderates and conservatives clashed over the third-ranking House leadership position--caucus chairman. The struggle represented a threat to Ford by conservatives even though the minority leader refereed the fray from a neutral position. Samuel L. Devine (Ohio) unsuccessfully opposed incumbent chairman John B. Anderson (Ill.). Devine labeled Anderson too liberal in some areas. The congressman had often refused to vote with conservatives to pigeonhole civil rights, welfare and consumer affairs. If he had been dumped, he would have been the first House Republican leader deposed on purely ideological grounds.

The struggle dramatized how Ford's fourth term as Republican House leader began with Grand Old Party members divided on ideology. And as usual, they were outnumbered by the opposition. Republicans even had 10 fewer votes in the 92d Congress than they had in the 91st--38 short of a majority.

A Republican in the White House added further strains for the House party leader. "His present job is complicated by having to produce as well as respectfully oppose," a Republican co-worker observed. "Every administration takes its own for granted," he explained. "Any kind of cooperation from Ford to Johnson was more important to Johnson than it is to Nixon."¹⁴ Indeed, when Nixon announced his wage-price freeze plan and the imposition of the ten percent import surtax, Ford expressed surprise. But the good team player quickly added that he "saw the wisdom of those decisions."¹⁵ Another time, bowing to the President, Ford went against his usual pattern of backing Republican committee leaders and abruptly switched his declared stand in favor of a contempt of Congress citation for CBS. The network had refused to give the House Commerce Committee unused film from the documentary, "The Selling of the Pentagon."

At one time he reportedly chafed at being left out of too many Administration decisions. One reporter contended the situation had improved,¹⁶ but as recently as summer 1972, Ford strongly criticized the Administration for seeming to ignore House interests on the initial round of China invitations and visits.¹⁷

It may not work two ways as often as he'd like, but Ford does have a pipeline into the White House. Almost every Tuesday morning, seven senators and nine representatives meet in the cabinet room of the White House with the President for a Republican leadership conference. Ford always sits to the left of President Nixon. After the agenda items are covered, Ford, along with Senate Minority Leader Hugh Scott, reports on the state of legislation. At opportune times, when Administration staffers present material the President has heard, the Republican

leaders pass notes back and forth. "Tricia thought you were excellent in Boston--R.N.," the President wrote once in a note he slipped to Ford about Ford's speech at a presidential fund-raising dinner. Ford often uses these times to pass the President notes regarding appointments and favors he has in mind.

To serve the President and perform effectively, Ford has to work both sides of the aisle. When it comes to something in which the House leaders are in agreement--such as defeating end-the-war amendments with wide margins--the House leaders cross party lines to cooperate. "Speaker Albert and Mr. Boggs and I worked very closely,"¹⁸ Ford said of the end-the-war amendments that cropped up like so many bedeviling supply trails last year. "I only work on the Republican side," he elaborated. "It's a matter of consulting, meetings and comparing numbers." He emphasized that the whole process revolved around what's "pragmatic."

As a regular practice he introduces all the bills that come from the White House. A pet Administration proposal and longtime favorite idea of Ford--revenue sharing--shows how his efforts can fall frustratingly short in a Democrat-dominated Congress. He parlayed closely with Appropriation Committee Chairman Mahon since Appropriations members resented the bill's incursion into their authorizing powers. He met with mayors, governors, citizens' groups and government leaders to win popular support for the measure. However, he denies any ultimate success will be due to his efforts. "I can't say I did it," he explained. "There has been a broad effort from the President on down" to muster citizen pressure on recalcitrant House Democrats to pass the bill. In a crucial Rules Committee vote on the bill, its backers won by a close eight to seven vote. The bill underwent some changes--including a name change--but Ford declared, "I don't care what they call it, I just want it passed."

"It's purely a matter of persuasion," the blonde, blue-eyed leader said as he puffed slowly on his pipe. "You can't threaten," he added, gesturing with his pipe stem. "Any intimidation backfires; you don't have much to threaten with."

Now that the bill languishes on the Senate side, Ford can't do much. He confers with Senate leaders, but stops at too active involvement. "It's a matter of protocol," he explained.

DISTRICT RELATIONS

Ford has to combine staying on top of the House leadership pile and playing to win on the national level with keeping his audience happy back home. For such a senior member of Congress, Ford goes to unusually extensive measures to keep in touch with his voters. Those constituents who can't make it to Washington to see Ford in person can do the next best thing. They can call him. If they dial his district office, it will put the call through to Washington, D.C. for free.

Ford manages to make it back to his district about every two or three weeks. To reach more people, he inaugurated the Jerry Ford Main Street Office Trailer in 1954. The trailer visits 24 to 30 areas in afternoons and evenings for two weeks each summer when Congress recesses. When Congress isn't in session Ford spends time in the trailer meeting with constituents.¹⁹ "I could always say I'd been within six miles of every home in my district," Ford asserts proudly.

Under the star-spangled "Washington Review" banner, Ford's newsletter reaches 25,000 homes once a week. Press secretary Paul Miltich, a former newspaper reporter, helps pack the two-sided flier with facts and enliven it with graphics and photos. In a typical newsletter on January 31, 1972, a voter could read how Ford supported campaign reform, about the President setting the "right tone for the second session," and that Ford signed the anti-busing discharge petition. The newsletter pictures new office staffers from the district or visitors to Ford's D.C. office, and notifies voters of special services available to them.

The minority leader prepares a weekly five-minute radio spot in the House Recording Studio which his district's half dozen or so radio stations air regularly as a public service. He made seven network appearances on NBC news alone last year. The only other Republican congressmen who appeared more often were Senate Minority Leader Hugh Scott and Republican presidential candidate Paul McCloskey.²⁰

"We're reaping the benefits here in the district," Democratic opponent McKee commented sardonically about Ford's recent trip to China with other House leaders. "It seems that almost every night there's a program on local TV about Ford and his trip to China." (A Grand Rapids news editor from WOTV accompanied Ford to China.)

There's no doubt Ford gains easy access to the media. But according to Grand Rapids attorney McKee, "The most difficult thing for an opponent to overcome is the staff that does the servicing of constituents with problems." The Grand Rapids attorney lamented that every act of consideration causes waves to extend into the voting population. "Everyone hears about it." What's more, she added, "He'll do it for anybody." "It's a very wise way to operate," she admitted. "I can't fault him on it."

Ford's district office* sits in a central location near good transportation lines in Grand Rapids and offers free parking. Almost ten percent of the district's residents are first or second-generation Dutch and many more are descendants from the original Dutch Grand Rapids settlers. One of Ford's three district office staff members speaks Dutch fluently and often converses with the constituents in that language.

District residents pay the office an average of 25 visits, send about 200 letters, and phone about 500 times each week, according to Gordon Vander Till, district assistant. Most of them want help with problems with the federal, state or local governments or request some general information or materials.²¹ "We have the reputation of giving first class service," Ford declared, referring to his district and casework staff.

Even with all this outward display of concern for the folks back home, Ford runs into local criticism. His constant high plurality in elections "makes it easy for him to take people here for granted," Jean McKee, his 1970 and 1972 opponent, maintained. "Any responsibility he feels legislatively, he feels to a national constituency," she asserts of the minority leader. "That will ultimately be his undoing."

Periodically Grand Rapids Republican leaders and businessmen have hinted that Ford seemed to be forgetting his constituents back home. One of his top 1970 campaign aides sent him a "Confidential--for Discussion Only" memo warning of the possibilities of disgruntled former supporters: "Congressman Ford is developing a 'bigshot' image" with whirlwind visits back home that were becoming the talk of the town: "He's in! He's gone!" "No time to talk with you now, friend... If you're ever in Washington, look me up."²²

That year, the minority leader conducted his most expensive campaign and for the first time hired media experts to brush up his image. He hadn't campaigned so hard since his first election. "I think he was mildly irritated," chuckled his opponent.

That election, she hit his support of the Administration, declaring him "the Nixon Administration's most consistent apologist, a congressional rubber stamp." Indeed, his media consultants cooked up one TV spot that showed him striding into a Capitol Hill meeting room for a conference with officials of the Department of Housing and Urban Development. The shot supposedly depicted how he works in getting urban grants for the fifth district's needy areas. But the same day the picture was taken, Ford happened to have sustained President Nixon's veto of the HUD appropriation bill.

Ignoring the National Republican campaign emphasis that year, Ford chose not to dwell on street crime or campus unrest and not one TV ad mentioned it. Neither did any TV ad mention President Nixon or the Republican party by name.

* 425 Cherry Street, S.E., Grand Rapids, Michigan 49502, dial 616-456-9607.

McKee called for a "reordering of priorities" and accused him of having a "blank check" attitude towards defense spending. Ford's campaign countered with the slogan "Return a man of peace to Congress . . ." Some of his aides balked at the dovish label for the well-known hawk. "What do you want to call him," another advisor reportedly countered, "a man of war?"²³

In 1972, McKee intends to hit Ford's frugality in using federal money to deal with social problems and his readiness to spend tax money for military expenses. "Our government gets less than one-half what it sends to D.C. back," she contended. "The point is, 60 percent of what we spend goes to war. Is that the way we want to spend our money?" she asked.

Ford has not overindulged his district with federal outlays. Total outlays to the fifth district for fiscal 1971 amounted to \$663 per capita against a \$1,019 U.S. average. But the figure may be a bit deceptive, since agriculture and interior funds are not very applicable to the district. Nevertheless, Ford has surprisingly brought only \$83 per person in Department of Defense funds to the district as against the U.S. average of \$285. In fact, of the 27 major agencies we surveyed by computer, Michigan's fifth district is receiving more than an average share from only two: Housing and Urban Development (\$66 per capita compared to \$10) and the General Services Administration (\$19 per capita compared to \$10). In HEW, OEO and Veteran's outlays, however, the fifth district is very close to the national average.²⁴

The federal government may not splurge in the fifth district, but the area isn't starving either. "It's a fairly prosperous district," a veteran reporter who declined to be identified, observed. "It has an unemployment proof base, an industry based on furniture production and auto supplies; it's diversified."

The district takes in Grand Rapids, Michigan's second largest city, and its environs. Best known as a furniture-manufacturing center, Grand Rapids also produces military products, non-electrical machinery, and fabricated metal products.²⁵

The district's 456,892 residents are mostly white (all but 5 percent) and largely blue collar (almost 60 percent). Slightly over eight percent of Grand Rapids' populace made the unemployment rolls in 1971. Six point five percent were on it in 1970.²⁶ Ford's district assistant, Vander Till, agreed an unemployment problem existed but contended it is being reduced.

Ford hasn't ignored his district when it comes to his turn at the federal outlay. "I think we've gotten a little more than our share," he said. In 1970 Ford made sure \$9,411,000 was included in Nixon's 1971 budget for a new federal building in Grand Rapids after the project had been omitted. "I did work very hard in getting various agencies to move," he explained. "We probably got it a little sooner than we might have." When a brouhaha arose over the high death toll taken by the uncompleted extension of U.S. 131, Ford moved to speed up the construction timetable and advanced it about 6 months.

Ford sees the passage of revenue sharing as a boon for his district. Grand Rapids wouldn't need an increase in the city income tax, Ford contended, since the money Kent County would receive--\$1,363,217--would come close to the \$2,215,551 figure cited as the county's unmet revenue needs.²⁷

District Assistant Vander Till cited the federal office building, the Grand River Basin Study, EEA funds, Building Urban Renewal, and the Wyoming Sewer Project as booty the congressman had brought his district in 1972. His political opponents recognize he isn't the biggest pork barreler around, but they don't push it as an issue. "I really think I would have to say that we're not unusually impoverished," Democrat McKee said about the fifth district. "If the district were bleeding and dying, he'd do something."

As House minority leader, Ford has a pretty good position to do something. He has unique access to the White House, the government bureaucracy, and serves as chairman of the Republican Committee on Committees, which makes Republican committee assignments. He also serves automatically on the Republican Policy Committee and the Republican Research

Committee. Plus, he serves as his party's chief organizer, strategist and spokesman. Ford believes his position helps his district. "I have access to top people in departments and to the President," Ford explained. "We don't have to start at the bottom."

But a former Republican congressional staffer and Ford constituent predicts the minority leadership position will cause Ford to lose touch with his district. "The district's becoming more liberal," he said, "and Ford adheres too closely to the Administration."²⁸ Ford disagrees. He believes his support of the President reflects his district's mandate. "They've always voted substantially for President Nixon," Ford explained. Out of 57 roll call votes on which Nixon declared a stand last year, Ford supported his President 89 percent of the time in the 92nd Congress, 1st session and 84 percent in the 91st Congress. When Lyndon Johnson was President, Ford supported the Democratic President's pet issues slightly over half the time and opposed him about one-third of the time.²⁹

Ford also judges district sentiment by his mail, but not in a formal way. "Mr. Ford doesn't weigh the mail," Administrative Assistant Frank Meyer said when asked if Ford kept an up-to-date pro and con count on issues in his mail. "We have a rough estimate," he added. The results of his own polls, Ford contended, further support his belief that his positions match his voters'. In 1972 he polled each household on ten issues ranging from busing to health insurance to the Vietnam war. More than 20,000 of his constituents responded to the questionnaire. Ford interpreted their answers to mean general agreement with his and the Administration's positions.³⁰ In his May 1972 newsletter Ford wrote:

I find that those fifth district residents responding to my questionnaire reject an unconditional withdrawal of U.S. forces from Vietnam, favor the Administration's health care proposal over Senator Kennedy's plan for federalizing national health insurance, approve of President Nixon's proposals for a moratorium on busing to achieve racial balance coupled with special federal aid to disadvantaged schools.

But in an article titled "Phony Polls Don't Find the Answers," Detroit Free Press Washington correspondent Saul Friedman disputed Ford's conclusions. Friedman argued the Vietnam questions were inexplicably split into a yes-no and a multiple choice question. Asked: "Should we keep a residual force in Vietnam until all American prisoners of war are released?" over one-fourth answered yes. "It is significant," Friedman maintained "that nearly 28 percent answered no even though the loaded prisoner issue was trotted out." The reporter suggested the results might have differed had Ford asked, "Given assurances that our prisoners will be released when we do so, should we withdraw all our forces?" or even: "Should we withdraw our forces to obtain the release of the prisoners?"

In the multiple choice question respondents could choose to (1) "increase the military effort," (2) withdraw "on a monthly basis while continuing negotiations aimed at a political settlement," (3) withdraw "by a fixed date regardless of the effect on negotiations." Ford took a 49 percent approval of option number 2 as proof of support for the Administration. "But is the second option a full, fair statement of Administration policy? Was it helpful to add to the third option 'regardless of the effect on negotiations?'" Friedman asked. The Detroit Free Press analyst found it significant that one third of the respondents favored "withdrawal regardless of the effect on negotiations" and that "even such a vague statement of Administration policy as the second option failed to muster a majority."

Ford's hometown, Grand Rapids, passed an anti-war referendum in November 1971. The referendum question asked whether the U.S. should "declare a ceasefire within the nation of Vietnam and immediately withdraw all American military personnel therefrom." Ford criticized the ballot question because it said nothing about getting back prisoners of war.

Voting Patterns

		90th Congress (1967-68)	91st Congress (1969-70)	92nd Congress (1971)
THE PRESIDENT	% MEMBER VOTED WITH	56	84	89
	% Average Republican support	44	62	72
	% Highest Republican support	76	79	93
	% MEMBER VOTED AGAINST	35	12	7
	% Average Republican opposition	40	24	19
	% Highest Republican opposition	70	64	54
MAJORITY OF REPUBLICAN PARTY	% MEMBER VOTED WITH	70	64	81
	% Average Republican support	70	61	63
	% Highest Republican support	96	89	92
	% MEMBER VOTED AGAINST	21	30	12
	% Average Republican opposition	18	24	21
	% Highest Republican opposition	63	67	68
BIPARTISAN MAJORITY	% MEMBER VOTED WITH	78	85	83
	% Average Republican support	75	73	74
	% Highest Republican support	95	98	95
	% MEMBER VOTED AGAINST	7	4	2
	% Average Republican opposition	11	10	12
	% Highest Republican opposition	38	52	57
CONSERVATIVE COALITION	% MEMBER VOTED WITH	67	63	87
	% Average Republican support	74	67	70
	% Highest Republican support	98	100	100
	% MEMBER VOTED AGAINST	21	26	8
	% Average Republican opposition	17	22	18
	% Highest Republican opposition	87	87	84
TOTAL FLOOR VOTES	% MEMBER VOTED	87	91	87
	% Republican average	88	87	87
	% Highest	100	100	100
	% Lowest	31	5	20

Sources: Congressional Quarterly Almanac, 92d Cong., 1st Sess., 1971 (Washington, D.C.: Congressional Quarterly, Inc., 1972), p. 81-110; and Congressional Quarterly Almanac, 91st Cong., 1st Sess., 1969 (Washington, D.C.: Congressional Quarterly, Inc., 1970), p. 1037-1070. Bipartisan majority recorded votes are votes on which a majority of voting Democrats and a majority of voting Republicans agreed. Conservative coalition refers to a voting alliance of Republicans and Southern Democrats against the Northern Democrats in Congress.

A poll conducted by the American Business Committee on National Priorities in August 1971 showed a majority of fifth district voters in disagreement with more than Ford's position on a withdrawal date from Vietnam. In that poll, almost 60 percent favored setting December 1971 as a withdrawal date from Indochina. Ford voted against setting this date. Over half those polled favored either ending the draft or extending it only one year. Ford voted to extend it two years. A whopping 63 percent supported cutting off funds for the Supersonic Transport. Only 21 percent favored continued funding. Ford actively supported funding the SST.

Significantly, almost three-fourths of his constituents thought he was doing a pretty good-to-excellent job even though they had little awareness of how he voted.

In an article sub-titled "21 Years in the Middle of the Road," Booth News Service reporter Robert Lewis told how Ford's first vote after taking office favored liberalizing the House Rules Committee. "That was in 1949 and Ford was a 35-year-old reformer politician and attorney from Grand Rapids." Contending that Ford became more conservative over the years, Lewis added: "Sixteen years later, answering his first roll-call after becoming Republican leader of the U.S. House of Representatives, he opposed rules committee reform."³¹

But Ford still sees himself as a middle-of-the-roader. He did manage to vote 87 percent of the time with the Conservative Coalition in 1971, however. His vote opposed only 8 percent of their positions. Back in 1969 and 1970, the conservatives received more opposition from him. He disagreed with them 26 percent of the time and voted in agreement only 63 percent. (See Table 3.)

VOTING RECORD

Ford's vote record reflects his interpretation of his district's mandate, his frugality in domestic spending to solve domestic problems, and above all, his pragmatic sense of voting for what he sees as the party's interests. Members of Congress who have watched Ford operate behind the scenes say he finds out the majority sentiment and adopts that as his own view rather than staking out a position and trying to win the troops over.³²

"Most people don't realize I've made 3,436 yea or nay votes since I began this job," Ford said, explaining that he couldn't remember his reasons for a vote he had cast some years ago. Whipping out a dog-eared card from his wallet, he pointed out the tally of his votes and noted he continually brings the card up to date.

He doesn't miss much. The average member of Congress votes 85 percent of the time. In 1969 and 1970, Ford voted 91 percent of the roll call votes and made his stand known 99 percent of the time. He voted 87 percent of the time in 1971 and again declared his position 99 percent of the time.³³

Ford took up five and one-half pages of the December 17, 1971 Congressional Record (p. E1370) to record his entire voting record to the first session of the 92nd Congress. He does this each session. He explained that he wanted to "be able to provide my interested constituents with a simple compilation of my voting and attendance record."

Southeast Asia and Defense. Three thousand, four hundred thirty-six votes don't make a simple compilation, but they do reveal patterns. Ford has a reputation as a hawk when it comes to the Vietnam war and military spending.

During the 1970 campaign, Ford's opponent accused him of having a "blank check" approach to military spending. As House minority leader, Ford has been one of President Nixon's most loyal supporters on the conduct of the war. Back in 1965 Ford, along with other House Republican leaders, pushed Johnson to press a harder military policy in Vietnam--but with air power, not man power. Ford also harped on the idea of a Naval blockade of North

Interest Group Ratings

Interest Group	Member's Rating (%)	Year(s)
Americans for Constitutional Action	79	1971
	78	Cumulative
Americans for Democratic Action	8	1971
	25	Cumulative
League of Conservation Voters	10	1970
American Security Council	100	1969-70

	# Pro	# Con	
Friends Committee on National Legislation	0	12	1971
Chamber of Commerce	8	2	1969-70
National Associated Businessmen	10	2	1969-70
Committee on Political Education	3	9	1971
	3	85	Cumulative
National Farmer's Union	13	15	1969-70
Consumer Federation of America	4	4	1971

Interest Groups

Americans for Constitutional Action (ACA). A political action organization dedicated to the principles of "constitutional conservatism" and opposed to socialism and regimentation. Based on 29 votes in the House and 24 votes in the Senate in 1971. 955 L'Enfant Plaza S.W., Suite 1000, Washington, D.C. 20024.

Americans for Democratic Action (ADA). A political action organization of "liberals and the politically aware" dedicated to international cooperation, economic security and freedom. Based on 37 votes in the House and 27 votes in the Senate in 1971. 1424 16th St. N.W., Washington, D.C. 20036.

League of Conservation Voters (LCV). An organization which compiles information about congressional votes in cooperation with the Friends of the Earth; both organizations are dedicated to the preservation of the earth's resources from exploitation and irreversible damage. Based on 10 votes in the House in 1970 and 17 votes in the Senate from 1955 to 1970. 324 C St., S.E., Washington, D.C. 20003.

American Security Council (ASC). A coalition of former military leaders, defense industry executives, and concerned citizens advocating a strong defense posture in order to deter war. Publishes the National Security Index (NSI). Based on 10 votes in the House and 10 votes in the Senate in 1969-70. 1101 17th St. N.W., Washington, D.C.

Friends Committee on National Legislation (FCNL). A Quaker pacifist group dedicated to the peaceful resolution of international conflicts. Based on 12 votes in the House and 13 votes in the Senate in 1971. 245 2nd St. N.W., Washington, D.C. 20002.

Chamber of Commerce (CC). A representative of the numerous Chambers of Commerce throughout the nation composed of oil, construction, retail trade and the entire spectrum of business and industry; an advocate of a strong economic system. Based on 10 votes in the House and 10 votes in the Senate in 1969-70. 1615 H St. N.W., Washington, D.C. 20006.

National Associated Businessmen, Inc. (NAB). A coalition of financiers, bankers and businessmen dedicated to fiscal responsibility and minimal federal spending in government. Based on 12 votes in the House and 12 votes in the Senate in 1969-70. 1000 Connecticut Ave. Bldg., Washington, D.C. 20005

Committee on Political Education (COPE). A political arm of the largest federation of labor unions in the nation, the AFL-CIO. Based on 12 votes in the House and 12 votes in the Senate in 1971. 815 16th St. N.W., Washington, D.C. 20006.

National Farmer's Union (NFU). A coalition of operators of small farms. Based on 30 votes in the House and 31 votes in the Senate in 1969-1970. Suite 1200, 1012 14th St., N.W., Washington, D.C. 20005.

Consumer Federation of America (CFA). A group of consumer organizations dedicated to protection of consumer rights and safety. Based on 8 votes in the House and 7 votes in the Senate in 1971. 1012 14th St. N.W., Washington, D.C. 20005.

*Cumulative votes cover at least fifteen years, up to or including 1971, depending on length of service in Congress.

Vietnam. By 1966, he had moved to a wait-and-see position, but demanded some sort of military or diplomatic "success." He was one of the first to seize the guns-and-butter question--opting for guns.³⁴

During the 1971 controversy over the South Vietnamese troops in Laos, Ford declared, "I strongly support the South Vietnamese incursion into southern Laos and President Nixon's decision to provide the South Vietnamese with air support they need to destroy vitally important North Vietnamese bases." At the time, he compared the effort favorably to the "promises" of the Cambodian venture.³⁵

His support for the President conflicted with loyalties to his House role when he supported a move that would allow the Secretary of State to avoid furnishing Congress with documents on intelligence, military, and mercenary operations in Laos.

In October, 1971, the Board of Directors of Common Cause, the "people's lobby" headed by former Health, Education and Welfare Secretary John Gardner, censured Ford along with Speaker of the House Carl Albert for directing a parliamentary maneuver which blocked a direct vote on the Mansfield end-the-war in Vietnam amendment. Albert contended the situation was in Ford's hands rather than his. Gardner declared the action as a "savage blow to the democratic process . . . [which] deliberately deprives the people of the United States of the opportunity to know how their representatives would have voted on the Mansfield amendment." The Common Cause chief explained that even though the vote would not have succeeded, Ford feared it would have embarrassed the Administration.³⁶

Ford has also advocated appropriations for defense and space research. In 1957 he proposed the sale of government "savings bonds for science" to help the U.S. in the Missile-Sputnik race with the USSR. In 1970 he voted to give NASA \$268 million more than it requested (H.R. 16516). He has steadfastly supported military spending proposals and voted in 1971 against the Pike Amendment to H.R. 8687 and the Aspin Amendment imposing the 1971 military research and development budget as the 1972 budget ceiling. Instead, Ford backed an

increase in spending, supporting HR 11731. He opposed his fellow Michigan Republican Don Riegel's amendment to HR 11731 to reduce the entire defense budget five percent and Les Aspin's Amendment for a two percent reduction.

Domestic Spending. Ford's record shifts to one of frugality in funding domestic programs. His first year in Congress, he voted against public housing and against the Truman Administration's minimum wage bill. In his first year as minority leader, he voted against rent subsidies, federal aid to elementary and secondary schools, and the creation of the Housing and Urban Development department. He voted against money for public works in high unemployment areas, mass transit aid, medicare, model cities and urban renewal, and the 1967 poverty program. (See Table 5.)

Calling Ford the "champion of USA rats," columnist Jack Anderson wrote that Ford led the 1967 House fight to kill the \$20,000,000 rat extermination program. Actually, H.R. Gross led the fight, with Ford's support. Ford explained the program would benefit only 2-1/2 percent of the U.S. population.³⁷

The Minority Leader's objections in 1971 put off consideration of a Senate bill to provide funds to states for nutrition programs for the elderly.³⁸ He opposed the OEO bill which included child care in 1971 and predicted Nixon would veto it; the President did. He did vote for child care legislation in 1971. In the spring of 1972, however, after conferring with concerned citizens in Grand Rapids, he said the income floor in President Nixon's Welfare Reform package was too low and should be raised, and he voted to support an increase.³⁹

On the other hand, he generally looks favorably on efforts to help business interests. He voted in 1971 to subsidize and help construct merchant ships with over \$500 million. He backed the government bill to guarantee \$250 million in loans to the beleaguered Lockheed Aircraft Corporation in 1971. After Congress cut off SST funds in 1971, Ford spearheaded the move to revive the SST by helping draft an amendment that would have converted the \$85.3 million SST "burial" fund into a program to restart it. Ford got four House Republican SST opponents to switch from no to present for a close four vote victory in the House.⁴⁰ The measure failed after Senate rejection, however. The National Association of Businessmen (NAB) gave him an 85 percent correct vote rating for 1970. (See Table 4.)

The Americans for Democratic Action (ADA), a group that generally pushes for New Deal-Great Society social welfare and civil rights legislation, gave him a 12 percent score for 1970. The conservative Americans for Constitutional Action (ACA), that generally supports efforts to retard and reverse what it views as this country's movement towards socialism, gave Ford a 68 percent on its correct vote tally in 1970.

Labor. The political arm of the AFL-CIO, the Committee on Political Education (COPE), rates votes as it sees them for the unionized working man. In COPE's view, Ford voted correctly less than 10 percent of the time in 1970. He voted against repealing the "right to work" provision of the Taft-Hartley Act in 1965, whereas unions favored repealing the right-to-work provision. In 1970 he opposed HR 14705 which provided workmen's compensation for migrant workers and backed legislation this year to prevent so-called "crippling strikes" such as the West Coast dock strike.

There is "no question that farm workers should have the right to organize," Ford told the annual convention of the United Fresh Fruit and Vegetable Association in 1971, "But a boycott designed to force an employer to sign a union contract is an unsatisfactory way to organize," he argued, "since products are highly perishable." Although he declared a belief in the right to strike, he supported "binding arbitration by a third party" in national transportation emergencies as the best answer.

"Some of the labor groups felt one way about the recent legislation on minimum wage and others another," Ford said matter-of-factly. "I voted to cut the minimum wage from \$2.00 to \$1.80 an hour.*" However, he voted for HJR 6065 which gave 13 weeks of extra emergency unemployment compensation to persons in states with unemployment above 6.5 percent.

United Auto Worker organizer Walter Schultz recalled that the UAW supported Ford for his first election back in 1948. "As soon as he got to Washington," Schultz said, "the party got hold of him."⁴¹

— Environment. The League of Conservation Voters gave Ford a mere 10 percent score for 1970. His low score reflected in part his opposition to the Clean Water Bill, and his support of the SST and park logging.

In 1970, though, he joined a bi-partisan group of liberal legislators to quash an Internal Revenue Service (IRS) threat to public interest law firms which go to court to protect the environment. The IRS had tried to suspend these firms' tax-exemptions.

Along with all the Michigan Republicans, Ford introduced a bill in 1971 aimed at speeding the development of auto anti-pollution devices by allowing car manufacturers to work together on them. This so-called Griffin-Ford bill came under fire in the Senate Anti-Trust Subcommittee since it would create an organization where collusion to limit competition and raise prices might be possible.⁴²

Ford sponsored a bill in 1971 to ban unregulated dumping of any materials into the oceans and great lakes. Although the bill improved upon "unregulated dumping"⁴³ some environmentalists objected to it as providing a license to pollute because of the possibility of dumping "with permits" under the law.

In past years, environmentalists had more to complain about. In 1965, he opposed an air pollution control bill and supported an effort to remove solid waste provisions from the Clean Air and Waste Disposal Act. More recently, he opposed a one-year moratorium on new stream channelizations** that environmentalists recommended, supported the underground nuclear test in Alaska, opposed permitting the Environmental Protection Agency to ban non-essential pesticides, and opposed an amendment to require water polluters to use "best available" control technology by 1981. But he did support the 1972 Noise Control Act.

Civil Rights. "It's hard to tell about his civil rights votes, unless you're right there watching the floor," Yvonne Price said. As legislative assistant to the chairman of the National Association for the Advancement of Colored People and executive assistant to the Leadership Conference on Civil Rights, Yvonne Price has been watching since 1964. "It's his tactic to vote to weaken or stall the bill, then go along with final passage when it looks as if it's going to pass," she said. "Even then," she added, "according to our view, he often votes wrong."⁴⁴

On the final passage, Ford voted for HJR 6400, the 1965 Voting Rights Act, but also supported an effort to remove a provision for federal examiners. He voted to recommit the 1966 civil rights bill in order to delete the fair housing provision.⁴⁵ He voted for the act's final passage with the fair housing provision included.⁴⁶

Pusing to achieve integration arouses extreme emotion in Michigan. Up to now, distinctly segregated housing patterns have effectively separated blacks and whites in both wealthy middle-class towns and blue-collar suburbs. Ford read the lay of his land and has recently supported Representative Jamie L. Whitten (D-Miss.) in his bid for "Freedom of

*Note, however, that Ford's \$1.80 figure, which he approved, is above the \$1.60 figure in effect at the time.

**Stream channelization is the process whereby natural waterways are deepened and straightened. Though this promotes water navigation, environmentalists claim it speeds erosion and kills

choice" school desegregation plans.⁴⁷ "I am supporting legislation to prevent forced busing and also a proposed Constitutional amendment which would ban busing completely," he wrote in a March 9, 1972 newsletter. According to his own poll, over 64 percent of his constituents opposed busing. "The answer, when it does come, will come through changes in housing patterns," Ford declared.⁴⁸

According to the "Woman Activist," a monthly newsletter devoted chiefly to governmental action in the field of women's rights, Ford had a near-perfect anti-feminist record for 1971. Ford didn't show for a crucial Equal Rights Amendment vote to prevent a weakening amendment; he did vote for the final bill, however. The newsletter criticized his vote for an amendment to limit the Equal Employment Opportunity Commission's powers to enforce laws prohibiting discrimination by sex or race. Ford also voted to allow universities to discriminate by sex in higher education. Furthermore, he voted against the child care bill, a measure heavily supported by women's groups.⁴⁹

CAMPAIGN FINANCE

In the area of election reform, he introduced a bill in 1972 to have a nationwide primary for president. He also supported campaign finance reform legislation.⁵⁰ The minority leader ran into a campaign finance snag of his own in recent years. The former lawyer drew criticism when adhering to the letter of the law while skirting its spirit in disclosing campaign finances in 1970. Ford acted as his own treasurer during the 1970 elections and didn't report at least \$11,500 in 1969 contributions. The Grand Rapids Press on February 15, 1971 called it "particularly distressing."

Through a two-step procedure, names of special interest group donors weren't listed on Ford's campaign report to Congress, although the money flowed through his hands. Ford turned checks from stockbrokers, bankers, doctors, an oil man, and a labor union fund over to the Republican Congressional Campaign Committee in Washington, D.C. because he'd reached the limit his own campaign committee could have under Michigan law. At about the same time, the party pumped a like amount--\$12,233--back to two Grand Rapids campaign committees, Latvians for Ford and Veterans for Ford. The money was listed as a contribution from the Republican Party.

The Corrupt Practices Act requires full public disclosure of all campaign contributions received with a candidate's knowledge or consent. Ford defended his handling of the check disclosures as "within the law" since, he said, he didn't know where the two committees received their money. He said he had no idea why a similar amount of money was fed back to his campaign from the party after he gave it the checks. In contrast, other Republican House candidates received a maximum of \$7,000 from the Republican Headquarters.

The controversial checks consisted of \$5,000 from the Securities Industry Campaign Committee, a group of Wall Street stockbrokers. Walter Levering, an old football friend of Ford, delivered the check. It was triple the amount the group gave any other members of Congress.

Other major contributors to Ford's 1970 campaign were New York oil man John M. Shaheen, who has oil refineries in Canada, Alaska and California; he chipped in \$3,000 to the campaign. And Bankers Political Action Committee, whose contributions many politicians turned down in a controversy over a pending bill on bank regulation, gave Ford \$2,000. The Michigan Doctors Political Action Committee gave another \$500 and the political arm of the Boilermakers and Blacksmith's Union of Kansas City, Kansas gave a check for \$1,000.

Other major donors to Ford's campaign that year were Richard M. Scaife, an executive in the Mellon family firms of Pittsburgh, and Forbes Mann, head of LTV Aerospace Corporation in Dallas. Both Scaife and Mann gave Ford \$2,000.⁵¹

In past years, congressional incumbents often set up fund-raising committees in the District of Columbia where they did not have to report specific donors. In 1972, the law changed, but some donations came in before it went into effect. Ford reported the largest amount of the 15 Michigan incumbents who filed campaign contribution disclosures as of May 31, 1972--\$50,516. The Ford for Congress Committee in Grand Rapids received \$38,216 from the District of Columbia-based Committee to Re-elect Jerry Ford. James G. Morton, former assistant secretary of commerce in the Johnson Administration, headed the D.C. fund-raising effort. Morton currently serves as vice-president and director of government relations for the Manufacturing Chemists Association.

"I don't know who contributed to the committee, and I think it's better that I don't know," Ford answered to inquiries about the money. "I have no objections," Ford explained about disclosing donors' names and amounts given to his campaign committees. "But it's up to the committee that raised the money for me. They did it on their own and it's up to them to decide."

Ford maintained he "never solicited" money for a campaign "personally." He added he has no policy of rejecting contributions if they are on a voluntary basis and the donor understands there would be no "quid pro quo."

FINANCIAL DISCLOSURE

He believes the present congressional salary adequate and sees no reason to make his entire income public. "I don't think a member of Congress ought to be treated differently than other citizens in this regard," he explained. Ford resents implications that members of Congress are dishonest. "I honestly believe the people here have a higher degree of integrity than any group I have ever worked with."

"I've lived up to the law," he said about disclosing his income. "I think that's the responsibility I have." Ford did reveal to the Congress Project that his real or personal property valued at more than \$10,000 amounted to a home in D.C., one in Michigan and a ski condominium he was buying in Vale, Colorado. He didn't think the public needed to know about debts except indebtedness to relatives for over \$2,500. He said he had no debts other than mortgages.⁵² (According to Part A, the form subject to public disclosure under federal law, a member must "list each creditor. . . of over 90 days to whom the indebtedness exceeds cumulatively in one year \$10,000.")

The Old Kent Bank and Trust Company of Grand Rapids, the largest bank in the district and one of the most powerful in the state, made Ford a director in 1968. According to Robert N. Winter-Berger, author of *The Washington Payoff*, Ford had to buy 100 shares of the bank's stock at \$33 a share to qualify for the position. Winter-Berger wrote that Ford told him the bank President--an old friend of Ford --advanced him a cash loan to buy the stock. "The bank planned to pay Ford \$1,000 a year for attending four meetings a year, Winter Berger contends. Ford made no secret of the appointment at the time and much to his surprise, he received criticism for accepting the position. "I don't think it was a conflict of interest," he still maintains; "but it wasn't worth it . . . if the people thought it was. I resigned before I ever attended a board meeting." Winter-Berger claims Ford kept the stock.⁵³ However, Ford offered us records showing sale right after resigning for the Board. Further, Ford told us he bought the stock from his own funds--there was no loan.

Now Ford serves as Director of Rospatch Corporation, a small label manufacturing company in Grand Rapids. He attends board meetings every two months. The company has no federal business, so Ford believes his role there doesn't conflict with his role as representative.

"In fact, it's very helpful to me," he explained. "I see in a small company what we do here and how it affects small companies. I see first hand what some of these laws do."⁵⁴

As minority leader, Ford's partisan interest and responsibilities result in his serving as fund-raiser for the party in general. Also, because of his party leadership position, his constituency includes many more people than the 469,000 residents of Kent and Ionia counties. Ford stumps the U.S. speaking out and selling Republican issues and candidates. Since becoming leader he has delivered nearly 200 speeches a year and has appeared in nearly every state and traveled hundreds of thousands of miles to speak before audiences totaling over 100,000 persons a year.

Representative Richard Bolling (D-Mo.) in his book, Power in the House, gives Gerald Ford along with Melvin Laird much of the credit for gains their party made in the 1966 elections.⁵⁵ According to former Washington lobbyist Robert Winter-Berger, Ford averaged a speech outside D.C. every two days during that campaign. Winter-Berger said Ford traveled to over 37 states and 138,000 miles--six times the circumference of the earth at the equator. The congressman often flew in the middle of the night to save time by sleeping on the plane.⁵⁶

In the summer of 1972 Republicans were accused of manipulating to corner the Jewish vote.⁵⁷ For at least ten years Ford has spoken at Zionist Organization meetings. In 1961 he told the Southwest Region Zionist Organization that Israel was "the bulwark of the U.S. community in the Mideast."⁵⁸

The Rabbi Abba Hillel Silver Award sits prominently on a bureau in Ford's office. The Cleveland Region of the Zionist Organization of America presented it to him in 1972 because he "demonstrated by both word and deed his friendship and concern for the welfare and security of the State of Israel."

According to law, Ford listed 23 organizations from which he received more than \$300 each in payment for speeches or appearing at meetings in 1971. But the law doesn't require Ford to list the amount received from each on the public copy of his disclosure form. Altogether, though, he received at least \$6,900 in honoraria. Among the organizations which paid him to speak were these: United Fresh Fruits and Vegetables Association, U.S. Chamber of Commerce, Automotive Service Industry Association, Zionist Organization of America (two times), U.S. Steel Public Affairs Conference, Associated Milk Producers Association Convention, California Savings and Loan League, National Association of Retail Druggists Convention, the National Restaurant Association, American College of University Women Convention, and several colleges, universities, and Republican committees.

Ford attracts contributions from all over the country: from bankers in Oakland, California, staff members, public officials, housewives, attorneys, and businessmen. His campaign committees receive such an abundance of funds for his own campaign, he can dole out the extra to "deserving candidates." So far this year he (his committee) gave to the following: congressmen - Garry Brown (\$500), Elford A. Cederberg (\$750), Charles E. Chamberlain (\$1,000), Marvin L. Esch (\$1,000), James Harvey (\$500), Sherman P. Lloyd (\$250), John Kyl (\$1,000), Fred Schwengel (\$500); challengers - Bloom for Congress, Indiana, (\$250), Hawke for Congress, North Carolina (\$200), Hawke for Congress, North Carolina (\$250), Trent Lott, Mississippi (\$1,000), Valentine for Congress, California (\$250); and a senator, Bob Griffin (\$1,000).

In 1972 Ford's Grand Rapids fund-raising committee reported receiving \$2,000 from the Teamsters Union; \$2,500 from Richard Scaife, identified as a Pittsburgh banker; \$2,000 from Walter Erman of Chicago; \$500 from the South Florida Sugar Committee of Belle Glade, Florida; and \$500 from the Railway Clerks Political League of Rosemont, Illinois.

"In Washington, money's the name of the game: Without it you're dead," Ford reportedly told Robert Winter-Berger. Ford told us he "would never make such a statement." Winter-Berger, a lobbyist from 1964 to 1969, claimed to have direct access to the House leadership of both parties. The government used his information in its prosecution of Nathan Voloshen, a lobbyist who allegedly impersonated former Speaker of the House John McCormack

on the phone to get favors from agencies. Voloshen was convicted for influence-peddling. Winter-Berger also aided the prosecution of McCormack's aide, Martin Sweig. The trial resulted in a prison sentence for Sweig.

Winter-Berger's book, The Washington Payoff, has not received widespread credibility. However, reporter Brit Hume points out in his Washington Post review of the book that nobody has sued for libel yet. He believes the conviction of Nathan Voloshen on influence-peddling charges, the official investigation and resignation of Justice Schweitzer, and the grand jury findings in the Victor Frenkil matter confirm at least some of the book's contents.⁵⁹

Winter-Berger charges Ford first helped him get things done in government departments for his client. "Each favor Ford did for me," he said, "involved a contribution by my client, but nothing directly to Ford." Winter-Berger contended that he or his clients contributed about \$50,000 to Republican candidates in return for Ford's favors.⁶⁰ Ford denies any wrongdoing. "No quid pro quo," Ford explained.⁶¹ He added later that he has no way of knowing if Winter-Berger's clients give to Republicans. Winter-Berger said he visited Ford's office "maybe 50 times." Ford said he saw him maybe six or eight times. Winter-Berger maintained Ford and his administrative assistant, Frank Meyer, helped him on numerous occasions. Ford could recollect helping him once--in an immigration case involving a physician from the Netherlands.⁶² Ford's staff said his office files contain only about a half dozen letters regarding Winter-Berger--all dealt with the immigration case.⁶³ Winter-Berger showed copies of various letters he said came from Ford to reporters. Brit Hume said he saw about two dozen of them, but that he believes Winter-Berger has about that many more he didn't see.⁶⁴

"One pack of lies--and I use that word advisedly and selectively," insisted Ford's administrative assistant Frank Meyers.

The evidence in the form of copies of letters seen by newsmen and by allegations from Winter-Berger boils down to some knowns: Winter-Berger and Ford knew each other; Winter-Berger contributed to Ford's campaign and to the Republican party, for which he received thank you letters. He gave Ford staffers Christmas gifts and received thank you letters for them. He sought favors from Ford.⁶⁵ Ford admitted suggesting names of Republican fund-raising committees to Winter-Berger "on one or two" occasions.⁶⁶ Ford insists he could remember only one instance when he helped a Winter-Berger client-- the immigration case. Reporter Jack Anderson contends he turned up "several cases where Ford went to bat for Winter-Berger's clients."

Investigative reporter and Jack Anderson aide Brit Hume takes a critical view. "If a man like Ford allows his office to be used by a man like that, the unwritten understanding is that Winter-Berger would come through with money for the party. Are all the people putting up dough getting special favors?" he asked. The fact Ford apparently didn't spend it on himself makes it nice," the reporter continued. "But it still makes a strong case for corruption."⁶⁷

Ford insists he has an open-door policy. "I think it's my responsibility to listen to all groups-- labor, business, professional--anybody has access to an interview with me."⁶⁸ Ford's gracious reception of the Congress Project study tends to affirm his description.

Michigan and Grand Rapids papers carried detailed stories of the Winter-Berger charges against Ford, but his Democratic opponent Jean McKee said, "Nobody here's really shook."

"He would have to actually be caught smuggling heroine into the country or something, he has such an image and believability," she said. "I think he's probably as clean as anyone can be."⁶⁹

5 Key Floor Votes

Yes Vote Means	Vote	Outcome
WAR IN INDOCHINA		
1 1966 Vietnam funds	Yes	Passed
2 No draftees to Vietnam after 1971	No	Failed
3 Restrict Vietnam funds to withdrawal and aid after 1971	No	Failed
4 No Vietnam funds after 6/72 if POW's released	No	Failed
5 Do not require withdrawal within 9 months if POW's released	Yes	Passed
6 Do not require release of Laos information to Congress	Yes	Passed
FOREIGN RELATIONS		
7 Import quotas on footwear, textiles	Yes	Passed
8 Sugar purchase from South Africa	Yes	Passed
9 Violate UN agreement and import Rhodesian Chrome	Yes	Passed
10 No export financing to Eastern Europe	Yes	Passed
11 Loan 16 warships to Greece, Spain	Yes	Passed
12 Cut Peace Corps funds 25%	No	Failed
13 Cut International Development aid by 1/2 over three years	No	Failed
DEFENSE		
14 Cut Arms Control Agency budget	No	Failed
15 No Presidential war beyond 30 days	No	Failed
16 Limit ABM to 2 sites	No	Failed
17 Delete B-1 Bomber	No	Failed
18 Delete Navy's F-14 fighter	No	Failed
19 Reduce defense 5%	No	Failed
20 Reduce defense 2%	No	Failed
PUBLIC WORKS AND SPACE		
21 Add unrequested \$1/4 billion to NASA	Yes	Passed
22 Delete SST	No	Passed
23 Delete high-unemployment public works	Yes	Failed
24 Cut mass transit aid from \$5 to \$3 billion	Yes	Passed
SUBSIDIES AND SPENDING		
25 \$1.75 billion for OEO (1967)	No	Passed
26 Delete model cities (1967)	Yes	Failed
27 Rat control (1967)	No	Failed
28 State control of poverty programs (1969)	Yes	Failed
29 \$588 million for urban renewal	No	Passed
30 Unemployment compensation for migrant farm workers	No	Failed
31 Delete administration's "welfare reform"	No	Failed
32 Child care facilities for working poor	No	Passed
33 Legal services, child care and other poverty programs	Yes	Passed

Yes Vote Means	Vote	Outcome
34 Delete aid to higher education	No	Failed
35 Delete ethnic studies education program	Yes	Passed
36 Extra unemployment compensation where unemployment above 6.5%	Yes	Passed
37 Add \$170 million for passenger trains	No	Passed
38 \$507.7 million for merchant ship construction and subsidies	Yes	Passed
39 \$58.5 million to airlines financing SST	Yes	Passed
40 \$250 million loan guarantee to Lockheed	Yes	Passed
41 \$20,000/person limit to farm subsidies	No	Passed
TAXATION		
42 Tax Reform Act of 1969 (lower rates, minimum tax, reduced foundation and capital gains loopholes)	Yes	Passed
43 Business and auto tax subsidies (with limited political contribution)	Yes	Passed
ECONOMIC REGULATION AND ANTITRUST		
44 No state ban on union shops (1965 right to work repeal)	No	Passed
45 \$1 minimum wage for farm workers (1966)	Yes	Passed
46 More competition for barge transport	Yes	Failed
47 Exempt newspapers from antitrust laws	Yes	Passed
48 Renew expiring copyrights	Absent	Passed
49 No selective wage-price controls on single industry or labor group	No	Failed
50 Make wage-price evidence public	No	Failed
51 Consumer protection agency may argue before other federal agencies with added authority in more cases	No	Failed
52 Compulsory arbitration to settle West Coast Dock Strike	Yes	Passed
ENERGY AND ENVIRONMENT		
53 No new stream channels for 1 year	No	Failed
54 Delete Cannikin nuclear test	No	Failed
55 Non-essential pesticides may be banned by EPA	No	Failed
56 EPA rulings appealable by environmental advocates as well as polluters	No	Failed
57 No sea mammal killing without permit	Yes	Passed
58 Increase logging in National Forests	Yes	Failed
59 Preserve estuaries (1966)	No	Failed
60 Noise Control Act	Yes	Passed
61 "Best available" water pollution control required by 1981	No	Failed
62 Water pollution control standards and powers for EPA	Yes	Failed
MEDICAL CARE, HEALTH, SAFETY		
63 1965 Medicare	No	Passed
64 No wider buses	No	Failed
65 Add \$230 million for health	No	Failed
66 Add \$82 million for handicapped rehabilitation	No	Passed
67 Add \$64 million for children in state institutions	No	Failed

Yes Vote Means	Vote	Outcome
JUSTICE		
68 Civil Rights Act of 1964	Yes	Passed
69 Voting Rights Act of 1965	Yes	Passed
70 No minority hiring targets (no Philadelphia Plan) (1969)	No	Failed
71 Equal Rights Amendment	Yes	Passed
72 No cease and desist power for Equal Employment Opportunity Commission	Yes	Passed
73 Delete independent legal services corporation for poor	No	Failed
74 No female draft and retain discrimination "reasonably promoting health and safety"	Absent	Failed
75 \$1.5 billion for school integration	Yes	Failed
76 No requirement or funds to integrate by bus	Yes	Passed
77 DC Crime Bill (pre-trial detention, no-knock entry)	Yes	Passed
78 Continue SACB secret blacklist	Yes	Passed
79 No imprisonment by Presidential fiat	Yes	Passed
80 18-year-old vote	Yes	Passed
81 Prayer in schools	Yes	Failed
GOVERNMENT OPERATIONS		
82 Election of President by direct popular vote	Yes	Passed
83 Broadcast spending limit	Yes	Passed
84 Keep closed rule (no amendment on floor allowed)	Yes	Passed
85 Rules Committee may block legislation indefinitely through inaction	Yes	Passed
86 Keep seniority system (challenge to Chairman McMillan)	Present	Passed
87 No CBS contempt cite	Yes	Passed
88 Union and Corporate vote registration drives permissible	No	Passed
89 No federal campaign finance records in Member's district	No	Passed

All floor votes occurred after January 1, 1970, unless otherwise indicated on Table 5. Each vote may be found in the Congressional Record. The page numbers for unbound issues are referenced with the initial "H". All other footnotes refer to page numbers in hardbound editions.

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|----------------------------------|---------------------------------|-------------------------------------|------------------------------------|
| 1. HR 13546, 3/15/66, 5823 | 24. HR 18185, 9/29/70, 34192 | 47. HR 279, 7/8/70, 231796. | 70. HR 15209, 12/22/61, 469214. |
| 2. HR 6531, 4/1/71, H2359 | 25. HR 15111, 9/29/66, 244896. | 48. SJ Res. 132, 11/15/71, H110336. | 71. HJ Res. 264, 8/10/70, 280361. |
| 3. HR 8687, 6/17/71, H53996. | 26. HR 9960, 5/17/67, 13056 | 49. SJ Res. 53, 3/29/71, H20778 | 72. HR 1746, 9/16/71, H5396. |
| 4. HR 8687, 6/17/71, H5416 | 27. HR 11000, 7/20/67, 19555 | 50. HR 11309, 12/10/71, H123486. | 73. HR 10351, 9/30/71, H5921 |
| 5. HR 653, 6/28/71, H5943 | 28. HR 12321, 12/12/69, 388746. | 51. HR 10835, 10/14/71, H95716. | 74. HJ Res. 208, 10/12/71, H9392 |
| 6. H Res. 92, 7/7/71, H63841. | 29. HR 17399, 6/25/70, 215611. | 52. HJ Res. 1025, 2/9/72, H10101. | 75. HR 2266, 11/1/71, H101561. |
| 7. HR 18970, 11/18/70, 378341. | 30. HR 14703, 7/23/70, 25616 | 53. HR 9270, 6/23/71, H5804 | 76. HR 7248, 11/4/71, H10422 |
| 8. HR 8866, 6/10/71, H50201. | 31. HR 1, 6/22/71, H5716 | 54. HR 10090, 7/29/71, H74171. | 77. S 2601, 7/15/70, 24477 |
| 9. HR 8687, 11/10/71, H10865 | 32. HR 10351, 9/30/71, H8903 | 55. HR 10729, 11/9/71, H10768 | 78. HR 9272, 7/27/71, H71841. |
| 10. HR 8181, 7/8/71, H64721. | 33. HR 10351, 9/30/71, H8909 | 56. HR 10729, 11/9/71, H10769 | 79. HR 234, 9/14/71, H8387 |
| 11. HR 9526, 12/6/71, H11830 | 34. HR 7248, 11/3/71, H103031. | 57. HR 10420, 12/6/71, H11856 | 80. HJ Res. 223, 3/23/71, H1856 |
| 12. HR 9166, 9/23/71, H8676 | 35. HR 7248, 11/4/71, H10386 | 58. HR 12025, 2/26/70, 5117 | 81. HJ Res. 191, 11/8/71, H106571. |
| 13. S 2010, 2/1/72, H4871. | 36. HR 6065, 12/15/71, H125911. | 59. HR 13447, 10/3/66, 248861. | 82. HJ Res. 681, 9/18/69, 269971. |
| 14. HR 16200, 4/28/70, 132441. | 37. HR 11417, 3/15/72, H2965 | 60. HR 11021, 2/29/72, H1539 | 83. HR 18434, 8/11/70, 241691. |
| 15. HR 6531, 4/1/71, H2370 | 38. HR 4724, 4/20/71, H2711 | 61. HR 11896, 3/28/72, H26371. | 84. HR 18970, 11/18/70, 378411. |
| 16. HR 8687, 6/16/71, H5284 | 39. HR 9667, 7/29/71, H73841. | 62. HR 11896, 3/28/72, H26371. | 85. H Res. 5, 1/22/71, H696. |
| 17. HR 8687, 6/16/71, H52931. | 40. HR 8432, 7/30/71, H75191. | 63. HR 6675, 8/7/61, 18574 | 86. H Res. 193, 2/4/71, H434 |
| 18. HR 11731, 11/16/71, H111141. | 41. HR 9270, 6/23/71, H5771 | 64. HR 4354, 7/21/71, H7002 | 87. H Res. 534, 7/13/71, H66691. |
| 19. HR 11731, 11/17/71, H111981. | 42. HR 13270, 8/7/69, 238081. | 65. HR 10061, 7/27/71, H72541. | 88. HR 11286, 11/30/71, H11489 |
| 20. HR 11731, 11/17/71, H11201 | 43. HR 10947, 12/9/71, H12133 | 66. HR 10061, 7/27/71, H7254 | 89. HR 11280, 11/30/71, H11592 |
| 21. HR 16516, 4/23/70, 12873 | 44. HR 77, 7/26/65, 180861. | 67. HR 10061, 7/27/71, H72581. | |
| 22. HR 5376, 3/18/71, H1748 | 45. HR 13712, 5/26/66, 11653 | 68. HR 7152, 2/10/64, 2805 | |
| 23. HR 5376, 4/22/71, H28971. | 46. HR 8998, 8/12/70, 285301. | 69. HR 6400, 7/9/65, 162851. | |

Key Committee Votes

RECORDED IN HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

Yes Vote Means	Vote	Outcome
1 To table (kill) a bill which outlined the rights to privacy of federal employees and would establish bounds on employee rights to investigate and review employee allegations of violations of privacy rights	No	Yes: 15 No: 10
2 To authorize the employment of Executive Management Service Inc. as a consultant to the Committee to conduct a study on the growth of the Executive Office of the President	Yes	Yes: 14 No: 5
3 To disapprove the Alternative Pay Plan (which would not assure the comparability of federal employees' wages and salaries to the private sector)	Yes	Yes: 14 No: 12
4 To exclude from the mails as a special category of non-mailable matter certain material offered for sale to minors, and to improve the protection of the right to privacy by defining obscene mail matter and improving procedures by which the Postal Service may prevent the use of the mails to obtain remittances for obscene matter	Absent	Yes: 17 No: 2

Source: Review of committee reports. Votes are for 1971 unless otherwise indicated. Votes cited above occurred in response to the following motions or proposals: 1 Gross motion to table Hanley motion on HR 11150 (Federal Employees Right to Privacy); 2 Udall motion; 3 Udall motion to report H. Res. 596; 4 Motion to report favorably HR 8805.

Federal Spending

FOR DISTRICT 5 (POPULATION 456,892)

Fiscal 1971 USA 1971			Fiscal 1971 USA 1971		
Agency*	Am't/person	Am't/person	Agency	Am't person	Am't person
Agriculture	\$ 25.00	\$ 67.00	CSC	\$ 5.00	\$ 23.00
Commerce	.00	6.00	EPA	.00	6.00
Defense	83.00	285.00	Home Loan Bd.	.00	0.60
HEW	272.00	302.00	GSA	19.00	10.00
HUD	66.00	10.00	NASA	.00	15.00
DOI	.00	10.00	NSF	.00	2.00
Justice	.00	3.00	OEO	3.00	4.00
Labor	7.00	14.00	OEP	.00	0.70
Post Office	.00	40.00	Rail Ret. Bd.	8.00	10.00
State Dept.	.00	2.00	SBA	2.00	3.00
Transportation	23.00	38.00	TVA	.00	5.00
Treasury	57.00	80.00	USIA	.00	0.60
AID	.00	7.00	VA	51.00	53.00
AEC	.00	13.00	Other	32.00	
			TOTAL	\$663.00	\$1,019.00

Sources: Amounts computed from census data and fiscal 1971 computer tapes obtained from the OEO which approximately allocate federal outlays by agency by county. Note that the figures are not a precise indication of total benefits because of secondary expenditures made by recipients elsewhere. And totals do not include outlays to nearby areas which may provide employment or other benefits and vice versa. Note also that geography, district needs or other factors may account for variations from the national average and that the Member may have little influence on many agency expenditures. The abbreviated agencies are as follows: HEW Health Education and Welfare, HUD Housing and Urban Development, DOI Department of Interior, AID Agency for International Development, AEC Atomic Energy Commission, CSC Civil Service Commission, EPA Environmental Protection Agency, GSA General Services Administration, NASA National Aeronautics and Space Administration, NSF National Science Foundation, OEO Office of Economic Opportunity, OEP Office of Emergency Preparedness, SBA Small Business Administration, TVA Tennessee Valley Authority, USIA United States Information Agency, VA Veteran's Administration.

*All agencies with a total fiscal 1971 outlay in excess of \$115 million (\$.56/person) were included.

Notes

1. Telephone interview with opponent Jean McKee by Congress Project researcher on July 12, 1972. (Hereafter cited as Interview with Opponent.)
2. Interview with Frank Meyer, administrative assistant to Representative Gerald Ford, by Congress Project researcher. (Hereafter cited as Interview with Meyer.)
3. Detroit Free Press, September 16, 1948.
4. Christian Science Monitor, January 10, 1968.
5. *Ibid.*
6. New York Times, January 5, 1965.
7. Wall Street Journal, March 14, 1967.
8. Confidential interview #1 by Congress Project researcher.
9. *Ibid.*
10. Richard Bolling, Power in the House (New York: E. P. Dutton and Co., 1968).
11. Bay City Times, September 22, 1971.
12. Telephone interview with Representative Donald Riegle by Congress Project researcher, Summer 1972.
13. Confidential interview #1.
14. *Ibid.*
15. Evening Star, December 23, 1971.
16. Confidential interview #2.
17. Grand Rapids Press, March 9, 1972.
18. Interview with Representative Gerald Ford by Congress Project researcher on June 19, 1972. (Hereafter cited as Interview with Member.)
19. Interview with Meyer.
20. Survey conducted by Congress Project researchers of 1971 logbooks at Washington Bureau news desk of NBC, June-July, 1972.
21. Interview with Gordon Vander Till, district office assistant, by Congress Project researcher May 25, 1972.
22. Washington Post, November 21, 1970.
23. *Ibid.*
24. Michael Barone, Grant Ujifusa, Douglas Matthews, The Almanac of American Politics (Boston: Gambit Publishers, 1972), pp. 371, 372; Office of Economic Opportunity, Federal Outlays, Fiscal Year, 1971 Michigan (Springfield, Virginia: National Technical Information Service, PB-207530-23, February 1972).
25. Barone, p. 371.
26. U.S. Congress, Department of Labor, Statistics on Manpower, Reprint from the 1972 Manpower Report of the President (Washington, D.C.: Government Printing Office, 1972).
27. Grand Rapids Press, June 10, 1971.
28. Confidential interview #3.
29. Congressional Quarterly Almanac, 91st Cong., 2d sess., 1970 (Washington, D.C.: Congressional Quarterly, Inc., 1971), p. 94.
30. Interview with Member.
31. Flint Journal, May 31, 1970.
32. *Ibid.*
33. Congressional Quarterly Almanac, 91st Cong., 2d sess., 1970, p. 94.
34. Atlas (April 7, 1966).
35. Flint Journal, February 18, 1971.
36. Bay City Times, October 25, 1971.
37. Jack Anderson, Washington Post, August 7, 1967.
38. Congressional Quarterly Weekly Report, XXIX (July-December 1971), p. 2671.
39. Flint Journal, March 28, 1972.
40. Grand Rapids Press, March 13, 1971.
41. Washington Post, November 7, 1970.
42. Representative Gerald Ford, News Release, July 21, 1971, U.S. House of Representatives, Washington, D.C.
43. Ford, News Release, April 8, 1971.
44. Telephone interview with Yvonne Price, legislative aide to the National Association for the Advancement of Colored People, by Congress Project researcher, Spring 1972.
45. Flint Journal, May 31, 1970.
46. Interview with Meyer.
47. Flint Journal, May 31, 1970.
48. Ford, Newsletter, May 27, 1972.
49. Detroit Free Press, January 22, 1972.
50. Washington Evening Star, April 12, 1972.
51. Washington Post, February 12, 1971.
52. Interview with Member.
53. Robert N. Winter-Berger, The Washington Payoff (Secaucus, N.J.: Lytle Stuart, Inc., 1972), p. 239.
54. Interview with Member.
55. Bolling.
56. Winter-Berger, p. 234.
57. Washington Post, July 23, 1972.
58. Houston Chronicle, June 7, 1961.
59. "Book World," Washington Post, June 25, 1972.
60. Congress Project survey of news articles on Representative Gerald Ford from the Booth News Service, April 13, 1972.
61. Ann Arbor News, April 14, 1972.
62. Congress Project Booth News Service survey of news articles, April 18, 1972.
63. Interview with Meyer.
64. Telephone interview with Brit Hume, reporter for Jack Anderson, by Congress Project researcher. (Hereafter cited as Interview with Hume.)
65. Congress Project Booth News Service survey of news articles, Spring 1972.
66. Ann Arbor News, April 14, 1972.
67. Interview with Hume.
68. Interview with Member.
69. Interview with Opponent.

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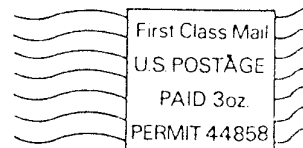
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November 2, 1973

GERALD RUDOLPH FORD
VICE PRESIDENT DESIGNATE
SPECIAL INQUIRY

Reference is made to my previous memoranda which furnished you the results of investigation concerning Gerald Rudolph Ford, United States Representative from Michigan. Enclosed are three copies of the results of additional investigation concerning Representative Ford, the results of which are also being furnished to General Alexander M. Haig, Jr., at The White House.

The inquiries concerning Representative Ford's finances have now been completed and nothing improper on his part has been developed. In particular, details have been secured concerning his so called "5th District account" in Grand Rapids, Michigan, which he utilizes for expenses incurred in the publication of his news letter, clipping service, and trips in connection with his speeches. It has also been determined that this account is presently being audited by the Internal Revenue Service.

It has been reported in the press that a microphone surveillance of the suite of lobbyist Fred B. Black, Jr., at the Sheraton-Carlton Hotel in Washington, D. C., in 1963 disclosed a conversation between Earl (Red) Blaik, then an AVCO Corporation official, and Representative Ford wherein Mr. Blaik requested Representative Ford to intervene in order to block an investigation concerning an AVCO Corporation contract. Mr. Blaik has been interviewed and recalled a contract obtained by the Motorola Corporation in 1963 in which that firm underbid the AVCO Corporation. He stated AVCO Corporation executives felt the Motorola Corporation bid was so low it would be necessary to later submit manufacturing overruns to the Department of Defense. He said he called

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The Acting Attorney General

Representative Ford in order to ask him to maintain contact with the Department of Defense with regard to the performance of the Motorola Corporation on the contract. Mr. Blaik recalled having called Representative Ford from Mr. Black's hotel room to tell him he wanted to talk about this contract. Representative Ford, in a previous interview, in general corroborated Mr. Blaik's version of this matter.

The press, on October 26, 1973, reported that John Childers, Legislative Assistant to Senator Charles Percy of Illinois, had stated that Dale Schaufelberger, a Greenville, Illinois, farmer and Director of the Agricultural and Dairy Education Political Trust, had stated Representative Ford was given money early in 1973 in exchange for help in advancing legislation sought by milk producers. [redacted] was interviewed and advised that during a conversation with [redacted] in Illinois on February 12, 1973, [redacted] had stated that an unspecified amount of money had recently been delivered to Representative Ford. [redacted] was interviewed and stated he never made any statement regarding Representative Ford to [redacted] and has never met, talked to, or written to Representative Ford.

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Robert Winter-Berger, who has frequently been mentioned during this inquiry, has stated that he loaned Representative Ford \$15,000 over a period of three years from 1966 to 1969 and has never been repaid. He stated Representative Ford borrowed the money to pay his wife's medical expenses. Representative Ford has categorically denied this, pointing out he and his family have adequate hospitalization insurance and it would never be necessary for him to borrow money for such a purpose. Mr. Winter-Berger has also alleged that he presented Christmas gifts to members of Representative Ford's staff which consisted of wallets, each containing a \$100 bill. The members of Representative Ford's staff have been interviewed and stated Mr. Winter-Berger did give them cheap wallets for Christmas but they contained no cash.

Mr. Winter-Berger also alleged that Francis L. Kellogg made contributions through Representative Ford to the Republican Party in return for an ambassadorship which

The Acting Attorney General

he never received. Representative Ford has previously denied this allegation. Mr. Kellogg has been interviewed and advised he was introduced to Representative Ford by Mr. Winter-Berger in February, 1969, in connection with his interest in obtaining an ambassadorship. He said, however, he never paid any money to Representative Ford to secure his assistance. He advised that during 1968 and 1969 he contributed \$28,000 to the Republican Party but the money was not given through Representative Ford or at his request.

[redacted] General Services Administration (GSA), Washington, D. C., has advised that he recently received information from a Chicago, Illinois, newspaper that there were rumors indicating Representative Ford had been instrumental in securing large contracts for a Grand Rapids, Michigan, furniture company in connection with buildings supplied and furnished by GSA. [redacted] stated that an active investigation now underway by GSA disclosed no information concerning Representative Ford but did disclose some apparent irregularities in procurement procedures pertaining to two office buildings in Chicago, Illinois, and one office building in Grand Rapids, Michigan.

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The foregoing should not be considered a complete summary of the results of investigation of Representative Ford to date. It supplements the information in my previous memoranda and is set forth to give you a general idea of the results of our investigation. Investigation is continuing, the results of which will be furnished to you as quickly as possible.

Enclosures (3)

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